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# **STUDIES IN INDIAN SOCIAL POLITY**

**BHUPENDRANATH DATTA**

*A.M. (Brown), Dr. Phil (Hamburg)*

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## PREFACE.

This book is written with the idea of giving a new sociological interpretation of the formation of Hindu social-polity from an angle of vision not to be found in the texts of the orthodox Indologists. They have taken "caste" as a peculiar Indian social phenomenon, and many regard it as the resultant institution arising out of the struggle between the white "Aryan" and the black "Non-Aryan" of India. But the recent discovery of the ruins of the so-called "Indus Valley Civilization" and its anthropological finds are sure to modify this view. Again, the recent investigations of the scientists of the *Academy of Sciences* of the U. S. S. R. regarding Pre-history and Archæology of western and central Asia, will lead to further modifications of the orthodox views of the Pan-Germanist Orientalists regarding India and the Near East.

The writer during his stay in Europe and America as a student, got the impression, that many of the savants interpret Indian Social Polity from the stand-point of Race-struggle. Indeed, with the rise of Colonial Imperialism amongst the bigger nations of the West, occidental savants began to interpret world history on the basis of Race-theory. In this light they have interpreted the origin of the ancient Greek and Roman civilizations. And the same *Virus* has been applied to the Vedic period of Indian history. Nay, with the transformation of the theory of "Germanism" to "Nordicism" in Germany, the "Nordics" are being attempted to be discovered in the Vedas !

These occidental savants in their hurry to foist theories coloured by their national-chauvinism, have forgotten to make a comparison between the origin and the condition of their societies of ancient and mediaeval days with that of India. It is unintelligible why the meaning of the word *Varna* should be emphasized by them as *skin-colour* which according to them is the indicator

of the origin of the Indian caste-system, while the Nordic Saga containing allusions like that of "*Purusha-sukta*" of the Vedas regarding origin of three classes of men of different colours amongst the Teutons should be glossed over. Again, hypergamous marriages of some sorts with their legal implications were not unknown to the Classical and Mediaeval countries of Europe. But no comparison between them and those of the Hindu society has ever been made ! Similarly, the vexatious attitude of men of the upper grades towards those further down and the customs of *wer-geld* arising out of it have been the same world over. Yet, similar customs bearing a class-character have been explained as of peculiar Indian religious origin. In other words, the Indian Social Institutions have not been explained in the light of a study of modern comparative sociology.

During his stay in Europe as a student, the writer met the sociologist, Prof. Dr. Vierkandt of Berlin University, and also Prof. C. Bougle of the Sorbonne, the author of "*Essais sur le Regime des Castes*" 1908, at Paris. While discussing with them regarding the origin of the Indian caste-system, the writer suggested that the formation of caste and class may not everywhere lie in racial difference, that caste and class may have evolved out of the society itself. Also, the writer informed them that he was making a comparative study in this line. Both of them had said that it would be a good theme to work upon, and advised the writer to make a comparative study of the origin of class and caste. \* Again, Dr. Koeppers, the editor of "*Anthropos*" ( Vienna ) while accepting his contribution entitled "*Das Indische Kastensystem*" for his magazine in A. D. 1924, wrote to the writer that he also agreed that the Indian caste system has got an economic basis. He also gave an assurance that the younger section of the Indologists are converging towards this opinion. Thus, it is evident that the author is in good company.

Further, while collecting materials for his doctor's dissertation at the Swedish Libraries in A. D. 1920, and interviewing the explorer Mr. Sven Hedin for the same, the writer met the great Swedish scientist Prof. Lundborg of Upsala University who told him that "it is time that the Indians take science in their own hands." Again, at the same time, when he met the late archaeologist Prof. Montelius at Stockholm, and talked about India, he very kindly showed him from the press-copy of his book entitled "Kultur des Ostens" illustrated pictures of pre-historic ceramic arts from Susa and told the writer about its similarity with the Indian ones. He opined that a trade route starting from India, crossing over Elam and Mesopotamia on its way and extending up to the Hittite country in Asia Minor, existed in ancient days. Thus, he threw suggestive hints about the so-called pre-historic cultural connections of India with the Near East. This throws a sidelight on the direction regarding the antiquity of the Indian Society. And this bit of news was anterior to the publication of the discovery of the "Indus Valley Civilization"! Unfortunately, as reported to the writer later on, this book could not be completed, owing to the sad demise of the author.

There have thus arisen in the mind of the writer doubts regarding the correctness of the existing data concerning Indology, and the talks described above have inspired the writer to publish the result of his studies regarding India. From his doctor's dissertation to the present-day writings, he is giving out the results of his investigation. As regards this work, the writer has collected most of his material in the matter of comparative study involved here from the Berlin Public Library and similar collections elsewhere in Europe.

The result of his studies has been already partly embodied in the Bengali language. The studies regarding the foreign countries have been published in Bengali magazines. They are not yet collected in a book form. His study on "History of

origin and development of Indian social-polity" has also been written in Bengali and is coming out shortly from the press. His study of the same with the Classical and Mediaeval countries as well as with the other Indian communities, are embodied in this book. Some of the smaller chapters of this book and some excerpts came out previously as articles in periodicals, viz. "Man in India" "Calcutta Review", "Hindusthan Review", "Journal of B. O. R. S." and in dailies like "Advance" and "Hindusthan Standard". These have been revised and in some cases re-written for this book.

The most learned man that the writer has ever met in his life was his professor of Post-graduate sociological studies, the late Prof. Lester F. Ward of Brown University, Conn. U. S. A. His view regarding the development of peoples and nations—the view that the change of world-views changes a race or a given group of people, and as he also told the present-writer, that such *anschaung* is the only solution of the vexatious question of race, has been the beackon-light with him with the help of which the writer has always tried to advance in his studies.

It is to be regretted that many of those savants who inspired the writer by their sympathetic outlook are no more in the land of the living. The writer owes a debt of gratitude to his American and European teachers for inculcating in him liberal views regarding the evolution of human society inspite of all sorts of Race and Class-prejudices existing around them.

Finally, the author owes a debt of gratitude to Mr. Girindranath Chakraborty for publishing the book during this distressful period of war emergency, to Mr. Pratul Kumar Dutt for helping the author during the publication in various ways and also to Mr. Asu Bandopadhaya, for his beautiful cover design. The author hopes to be excused for some of the shortcomings that have crept in hurrying through the press.

3, Gourmohan Mukherjee Street,  
Calcutta, July 24, 1944.

} **Bhupendranath Datta**

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## CHAPTER I.

### Epochs in Indian History.

In studying about the origin of the Indian social-polity known as the 'caste-system' we will have to go into the roots of its genesis, growth and condition in different epochs of the Indian history. Various attempts have been made to find out the root cause of the system, or the phenomena that have led to the evolution of this institution in India. And various theories have been advanced as the solution to this social phenomenon. But a single formula cannot be regarded as the key to the solution of the whole problem.

The Indian caste-system is a big complex composed of various factors. Races and invasions, institutions and governments of different epochs of the history of India have left their marks on the society. Hence there cannot be a single solution to this social problem. The whole complex has got to be analysed and dissected in parts, and then the characteristics should be explained.

In order to find out the genesis of the Indian caste-system, it has got to be studied by dividing the history of India into different epochs, and then we will have to find out the condition of the institution of caste in the environment of the particular epoch in question. So far it has been in vogue to take up the question apart from its environments and study it, as if it is a permanent and static phenomenon ! But the Indian society has not been a static one ; hence we cannot discover *Sanatan-Dharma* in a socio-economic institution like the caste-system.

The period of the civilization of the Indian people is a long one. Beginning with pre-historic Indus Valley civilization and continuing to 2000/1700—1500 B. C., the date fixed by some

Indologists as the period of the oldest parts of the Vedas when the chief of the tribal state combined the functions of a King, a judge and a priest in his own person, to the Court of Janaka at Videha where the Brahman men and women discoursed on philosophy and religion, to the Buddhist councils some of which were held under the auspices of the Buddhist Kings, to present-day cultural activities, the history of India is divided into many epochs. And all the institutions of the country have got to be studied as parts of the political complex of the epoch in question. Hence to pick up anything at random from the big cauldron of the Indian history which has been boiling, melting and shaping various institutions in these long ages and to say, this is the thing in its proper form, is to hit outside the mark.

### **Different epochs in Indian History.**

On this account, in order to find out the origin of the caste-system we should divide the Indian history into such epochs as the Vedic age (The Mahenjo-daro period is left out of the list of epochs as its relation with the Vedic people is not yet clear and is regarded as outside the historical period) ending with the Aranyaka period of the Vedas, the post-Vedic age till the rise of the Maurya power, the Maurya age till the establishment of the Brahmanical political power of the Sungas and the Kanvas etc. Then we will have to make microscopic examinations of the ethnic, sociological, political environments in which the institution known as the caste-system is situated. Then we can appraise the origin and growth of the system in question.

As society is based on economic factors and political power gives a shape to it, it cannot be understood how the growth of an institution like the caste-system can be regarded as arising out of the fiat of an interested priesthood or the "mana" of some superstitious peoples or some other devices! Hence economic causes leading to its political expressions have to be discovered in order to find out the roots of the system.

In our enquiry, we are confronted with a mighty array of Sanskrit books written by the Brahmins which so long have been regarded as the sole guide to this problem. But with the discovery of the Buddhist and Jaina literatures, it has been found out that there is another version of the question which does not agree with the Brahmanical one. It is now found out that the Brahmanical version of the Indian society is one-sided and a sectional one, and comparing with the other literatures and palaeographic records, it has been found out that in many cases it does not conform to the actual conditions existing in the society. For this reason, we must be careful in dogmatising a theory of Indian society by reading the texts containing the theories of the priesthood. Hence a historical perspective is necessary.

Here, before we start with our enquiry into the origin of the Indian caste-system we must determine the definition of the term "caste". The sociologists say that when a class becomes incrustated by denying *connubium* and *commensality* with other classes, the class turns itself into a caste. The Indian castes are mutually exclusive groups, practising endogamy and interdicting interdining with the persons of other castes. Each caste has got also rules and regulations for the preservation of its own integrity. This is the present state of the Indian caste-system on which the Hindu social fabric is based. It fits the definition of the sociologists. But the question is "Has it always been so" ?

In order to find the ancient source of the system we should refer to the early sources whence the Indian traditions begin.

### **Early Indian traditions.**

The cultural history of the Indian people began with the Aryan-speaking people of the Vedas. So far the Vedas are the oldest document of the Indian culture. The Rig-Veda does not speak of the Sudra except in the "Purusha-Sukta" which is

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said by the Indologists to be a later interpolation. But the name is mentioned in the Yajur-Veda, and the Aitereya Brahmana speaks of four Varnas and the superiority of the priestly class of the Brahmans. From the Rig-Veda down to the Brahmanas we find the evolution of different classes in the Indian society. Here we speak of "classes", because connubium and commensality were not interdicted in those days.<sup>1</sup> Ludwig says, the caste system had its inception from the very beginning ; but it seems that Zimmer<sup>2</sup> is right when he points out that if the caste-system originated in the Indus Valley, then why the epics (vide the scolding of Karna to Salya in Mahabharata) were so hard on the Vratyas who dwelt on the western side of the bank of the Indus and to the people of the land of five waters ?

Further, in the Vedas we do not find anything about the question of untouchability in the form that is extant in India to-day. Also the Vedas do not speak of the difference of *wergeld* of different classes.<sup>3</sup>

Again, the Vedas speak of the class-disputes between Kshatriyas and Brahmans<sup>4</sup>, each class arrogating to itself to be the superior to the other. Further the Kshatriya king is seen to be acting as a fighter and a priest at the sametime like the Greek and Roman Kings.

By glancing at the Vedic Literature one can clearly see that out of the *Vis*, the common people, the Kshatriyas took their rise and from the Kshatriyas the priestly class differentiated itself in its turn. When the functions of the husbandman and the

1 As late as Sixth and Seventh centuries A. D. we hear of inter-caste marriages ; vide C. I. I. vol. III. No. 35. "Mandasor Stone Inscription of Yasodharman and Vishnuvardhan" p. 152 ; also *Epigraphica Indica* vol. XV. No. 19. "Tipperah Copperplate Grant of Lokenath" Verses 2-9.

2 Zimmer—"alt. indisches Leben".

3 The only *wergeld* that *Rig Veda* spoke was of 100 cows and there was no caste differentiation in this matter as it was in later days.

4 Vide *Vedic Index*—Vol I. pp. 202-205.

agriculturist differentiated themselves from that of the fighter, then we find that the Kshatriya Varna, as a separate one, takes its rise. The same evolution took place in ancient Russia<sup>5</sup> ; the *Rathaostra* of Persia originated similarly. Latterly we find that after much struggle the Kshatra (King) separating his priestly functions from his temporal functions. The same evolution took place in Grece and Rome. But the priestly class in ancient India originated from the Kshatriyas (vide the stories of Devapi and Viswamitra). Thus, as elsewhere, from the original *publicum (vis)* of India, the lords temporal and spiritual have taken their rise. That there was no incrustation of the social classes is to be seen in the frequent inter-marriages of the various classes, in the changing of the social class in the case not only of Viswamitra and others but also in the case of the Brahma-Kshatriyas, in the elevation of the son of a Sudra woman Ailusa Kavasa to priesthood, in the elevation of a Sudra Janasruti to Kingship, and in the elevation of the Sudras to ministerial posts and affluent social positions etc. Again, we hear of a dark-skinned Rishi named Kanva ! also of the Kshatriyas and Vaishyas as Rishis who wrote hymns of the Vedas.

Thus in all these facts where do we find the conflict of of colour or race and the divine ordination of the social hierarchy ? Rather it seems that Senart and those who think like him are right that the caste-system in the form of social groupings or classes had its inception in the united Aryo-Iranian period of the history of the Asiatic Indo-Europeans. The names of the three Persian upper classes agree with those of the Indian ones. But the Sudra was absent in ancient Persia, instead we find the Vaisu (*Vis* of Sankrit ?) as the lowest class. But the *Vis* from which the Vaishya has taken its rise was a *dwija* in ancient days. The Vaisya was originally a husbandman, then we find the degradation of the cultivating class.

5 Kluchevsky, "*History of Russia*".



### Question of Racial Origin.

Now comes the question of the Sudras. The European orientalists think that the Sudras are the original inhabitants of the soil, a dark-skinned people whom the white-skinned conquerors enslaved. But it seems that it is a hypothesis which originated in the minds of the Germanic-speaking Indologists who drew an analogy between the existing race-conflicts in South Africa and North America and those of ancient India. In this hypothesis, various suppositions have been made. Firstly, what proof is there that the original Indo-Aryans were white? True it is that the Vedas speak of the "Arya-Varna" and "Dasa-Varna", and the scriptures, of four Varnas typifying the four orders. But did the word "Varna" originally mean skin-colour? In that case, we will have to accept the theory that the ancient people of the Punjab were composed of all the four races as differentiated by Blumenbach, viz. the White Race (Caucasian), the Red Race (American Aboriginal race), the Yellow Race (the Mongolian), the Black Race (the Negro). If the white-skinned Brahman belonged to the white Indo-European Race and the black-skinned Sudra belonged to the black Negroid Race, then what about the red Kshatriya and yellow Vaishya caste? This interpretation is absurd on the face of it. Rather it seems<sup>6</sup> that these are allegorical interpretations typifying different professions. The Hindu Scriptures say so. The priest typifies religious functions, hence as emblem of purity he is described as white. The same is the case with the Angels of the Christian Heaven. Service is soiled, hence the servile Sudra is black etc.

But to prove the blonde characteristics of the Vedic people, the Indologists bring out the proofs that the Vedic gods were described as Whites<sup>7</sup>. In this matter, it seems that the same

6 Compare the Scandinavian Eddas regarding the origin of different classes of the Germanic Society; also vide Bluntschli "*The Theory of State*".

7 In the Satarudriya Litany of the White Jajur-Veda, the god Rudra is called as "golden-armed" (16.17), and god Sabita as "golden-handed" (1. 20, 34. 35).

mistake has been made in the case of the Indian gods as has been made in the case of those of the Greeks and the Romans, and Sergi's arguments can be applied in the case of India as well. It is probable that these are allegorical Epithetaornantia and these allegories cannot be taken as physical characteristics of the people of those days<sup>8</sup>. Then what proof was there that the Vedic people were homogeneous. In Afghanistan, in South Persia and even in West Asia dark brown-skinned persons are to be met with<sup>9</sup>. Further, as stated above, some of the Vedic Rishis were dark and many of the Hindu heroes and heroines of the Epics were dark. Again, the scanty trace of any blonde characteristics either in the Indian population or in the ancient literature is of debatable origin.

### Fallacy of Nordicism.

Hence the European theory of a Nordic invasion from North Europe or from some other northern region to India which coming in conflict with the dark aborigines has given rise to social stratification based on difference of skin-colour is not only untenable but it is to be regarded as a pangermanic myth. Again those who opine that according to the amount of Aryan blood that the hybrids have got within them, they have taken their ranks in the Indian social hierarchy and quote the instances of the mixed breeds of North America forget, that the heterozygotic elements arising out of the mixture of the whites and the blacks in North America do not form different social strata in the society. The full-blooded Negro, the Mulatto, the Quadroon, the Octoroon do not form the mutually exclusive endogamous social groups, rather all of them together form the "coloured" society which is, of course, excluded from the white

8 The Atharva Veda speaks of the black hair on a man's head (Bk. 6.137.2-3).

9 This is the writer's personal observation. As regards the presence of dark element amongst the Afghans and other Hindukush tribes, vide B. S. Guha in *Census of India*, 1931 Vol. I, India, Pt. III, *Ethnographical* p. XIX.

society. The analogy with the American hybrids do not hold good, neither for the same reason does it hold good in the case of the hybrids between the Europeans and the Indians of the present day.

Hence the analogy of the stratification of the Indian castes with the heterozygotic persons of North America or elsewhere falls to the ground. Again, it has been shown elsewhere<sup>10</sup> that the data of Risley belie his own dictum that the status of a caste stands in *inverse ratio* with the amount of Aryan blood it has got. If the above-mentioned analogy fails, then Risley's dictum falls too. Moreover it has got no anthropological basis. Why the leptorrhinian Jats stand in lower order than the Khetris, why the Lambadis, a non-Brahman caste of South India, are leptorrhinians and the Brahmans are mesorrhinians? Again why the Kanarese Pariahs are comparatively narrow-nosed than the Brahmans of the Madras city? The fact is that the status of a caste certainly does not stand in inverse ratio with its nasal index as asserted by Risley. Hence it is obvious that there is no racial basis of the Indian caste-system. The Indian castes do not bear any analogy with the mixed-breeds of any country. On the other hand, by making an analysis of some of the data of Risley's Castes, it has been shown in the afore-mentioned article of the writer that each caste has got elements of different characteristics within itself, and these elements are identical with those of other castes. That is, all the castes are mixed in their composition and they do not represent different biotypes. Again in "Anthropological Notes on some West-Bengal Castes" and in "Anthropological Notes on some Assam Castes" it has been shown by the writer<sup>11</sup> that there is no homogeneity amongst the castes of these provinces; the castes overlap one

10 B. N. Datta "*Das Indische Kasten System*" in "*Anthropos*". Bd. XXI, 1927.

11 B. N. Datta in "*Man in India*" Vol. XIV, Nos. 3 and 4, 34; "*Anthropological*

other in their racial compositions. Hence to talk of the purity of a caste is a misnomer or to say that the more a caste has got "Aryan" blood within itself the higher is its status, is not the truth.

### **Class-struggle in ancient India.**

But the difference of status and stratification with different rights and privileges lies in the force of class-conflicts that had raged in India from the Vedic Age. If we are to seek an analogy of Indian class stratification with elsewhere, we will have to find it in the classical histories of Greece and Rome and in the Mediaeval histories of Germany, France and England than with the Mulattoes and Quadroons of North America!<sup>12</sup> Greece emerges in history with a feudalistic society though still in tribal state. Here we find the king holding the post of a tribal chief as well as that of priest, below him are the feudal aristocrats and still below are the 'Theta' in Athens or the 'Perikoi' in Sparta and the 'Helot' serfs, besides the slaves. It cannot be said that anthropologically they were different. Of course, the Perikoi and the Helots were conquered peoples and the status of each group was determined by the gradation of political rights it enjoyed. The same was at the beginning of the Roman Empire; yet again, these groups formed one society like the Hindu one. True it is that the aristocratic Spartan, the subject Perikoi and the Helot serf did not form one single community but the aristocratic Athenian citizens, the business men and the poor citizens of Attica formed one single society. And in this society the status of each stratum was determined by its political status which again was determined by its economic status<sup>13</sup>. To any student of Greek

<sup>12</sup> The mixed-breeds do not form castes in America.

<sup>13</sup> The status accorded to each Athenian citizen according to his wealth during the period of Timocracy was a clear example of it.

history this is clear. Hence it is evident that economic status determines the social and political status. Then we find that after the abolition of Kingship in Greece when the political power fell in the hands of the aristocrats, they kept the ruling power and priestly functions in their own hands. Such was the case in Rome. The more the society advanced towards the feudal incrustation, more the social differences and inequalities with their vexatious laws and restrictions fell heavily on the shoulders of the poorer classes. In the end, marriage with equal footing was disallowed amongst the members of different classes. In India if *Anuloma* marriage could be allowed, *Pratiloma* marriage was a crime. The Roman patricians even went further; they said that inter-marriage with the Plebians will make their blood impure, so any offering from their hands by the gods will not be acceptable.<sup>14</sup> Further the Roman patricians even asserted that gods will not take libations from the hands of the Plebians. It sounds like Manu's Manava-Dharma-Sashtra! Again the amount of wer-geld to be paid by the lower class became greater with the advance of the feudal age. Also the dis-enfranchised people had to wear special badges to show their class-identities. Again in the Middle Ages, Europe had to undergo a similar evolution. There were three estates everywhere, and in some places there were four estates. From the absolute king to the serfs and in many places to the slaves there were gradations of social and political rights and privileges. Yet they all belonged to the same white race. By scanning the history of Europe of ancient and Middle Ages, it will be found that the conquest of one tribe by another has not always led to this differentiation. Rather in many places, loss of economic means has led to political nullity which has led further to social degradation. The same evolution

14 Compare the prohibition of personal worship of *Narayana-Sila* or any god by a

has taken place in Russia after the age of Peter the Great. The large mass of dis-enfranchised serfs of Russia were once freed citizens and respectable men. Further European society in ancient and Middle Ages was stratified and incrustated giving rise to the question of interdiction of connubium and possibly the question also of commensality. Commensality between the priests of several gilds and laymen actually was 'broken off' in Germany.<sup>15</sup> The excuse used to be given by the priests was that as they had to deal with Church matters at the table, it was useless for the laymen to be present there, so they were excused from the table.

But everywhere in ancient and modern Europe, with the rise of the commercial and industrial classes, social rigidity began to break down. History says that with the rise of the bourgeoisie and with the spread of the commercial and industrial Athenian Empire when the political power fell in the hands of the merchant classes, social barriers began to break down. But Romans were never industrial though the terrible "civil" wars between Sulla and Marius have been between the aristocracy and the middle class. Roman aristocrats kept up their exclusiveness down to the last days of the empire. For this reason, it may be possible that democratic-communistic Christianity became transformed into bureaucratic and hierarchical Roman Catholic Church.

These are mentioned here to show that Race theory, Colour-distinction theory, Mana theory etc. are not the answers to

15 W. E. Wilda in his book entitled "*Das Goldenwesen im Mittelalter*" says that in the "Kalendsbruederschaften" of the 14th century, the wives of the lay members were not allowed to take part in the common meals. In St. Johannis Kalandsgild of the same century the laymen had to sit in a separate table at the meal time and new members with the help of another person had to serve at the table of the brother members. In the Nord-Strandarer Marienkalend, the lay members had a separate table for their meals. The ground for this separation was that at the priestly table Holy lessons will be read and things to be cultivated which required silence and the matters of the priestly class will be discussed as well pp. 358-360.

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awfully handled and at last worsted<sup>19</sup> though, according to Zimmer<sup>20</sup>, they gained at the end concessions from the ruling class. They were privileged to get respect, gift, inviolability and freedom from capital punishment.

These facts are referred to here to show that there was a big class-struggle before the Brahmans could monopolize priestly functions to themselves. Senart<sup>21</sup> refuses to see class-struggle in this fight as he says that there had been castes in ancient India and no classes. But with due deference to him, we beg to differ. It is clear to any one who perused the ancient Indian records that there were classes and no castes in the period in question.<sup>22</sup> It was only by hard struggle that priests began to assert themselves and to form themselves as a separate hereditary social group.

Then comes the Buddhist Age. At this age we find the Kshatriyas asserting themselves as the first Varna. This was always asserted by Gautama Buddha. The Buddhist and Jaina literatures have expressed the views that the Kshatriyas were the first Varna, then come the Brahmans. Fick<sup>23</sup> quotes from the Buddhist Literature the stories that the "king Arindama called a son of a priest as a man of low birth (hinajacca), and the king of Kosala while talking with his Brahman employee used to put a screen as he would not see his face, while the Sakyas seeing a Brahman entering their Mote Hall while they were sitting, fell on each other laughing and pushed him back with the finger and did not ask him to take a seat."<sup>24</sup> Thus in

19 Pargiter, op. cit. pp. 270-271.

20 Zimmer, op. cit. P. 203.

21 Senart "*Caste in India*" p. 143.

22 Fick and Vincent Smith say that the Indian Varnas are not "castes", rather they are classes.

23 R. Fick, "*The Social Organization in North-East India in Buddha's Time*" Tr. by Maitra, pp. 83-87.

24 These cannot be called the influence of Mana or Magic; these are purely class-arrogance.

these examples we see the Kshatriyas' attitude towards the Brahmans.

Again in the period of 500 B. C., we, for the first time, come across the word "Anarya" in Sanskrit Literature. It was Jaska who in his "Nirukta and Nirghantu" used the word "Anarya" for the 'Kikata' (the later, Magadha) country.<sup>25</sup> Many Indologists<sup>26</sup> thereby say that the word "Anarya" stands for "Non-Aryan" people. But Weber<sup>27</sup> thinks that the word stands for the heretical Buddhists as their forerunners. The Brahmans used that epithet for those who did not follow the Vedic rules or what they called the "Aryan Path". On the other hand, the Buddhists have always called themselves as the followers of the "Aryan Path". Here we must remember that Buddha lived nearly in the same period and his teachings were first accepted in Magadha. Hence it is no wonder that the orthodox Brahmins have denounced the heterodox Magadhians as the non-followers of the Aryan Path or Anarya. It seems that Weber was right in his surmises. The word "Arya" never stood as a racial name as it is used by the Germanic savants. It never denoted a particular biotype in the Sanskrit Literature. Jaska's "Anarya" is not the Sanskrit translation of French "Non-Aryen" or German "Nicht-Arier". It seems that the word "Anarya" as nowadays used in India is the translation of the aforesaid European words which either have got anthropological or political meaning. It is evident that in the Sanskrit books the word "Arya" has got only a cultural and religious meaning.

Thus the fight began with the orthodox polity supported by the priestly class and the heterodox and revolutionary polity backed by the Kshatriyas. It is significant that many of the

25 The Jaina religious books regarded Magadha and Bengal to be the countries of good Aryans who were called "Khattariya". Vide S. Levi "*Pre-Aryan and Pre-Dravidian in India*", translated by P. Bagchi, pp. 3—74.

26 Zimmer, op. cit. 31 : Geldner : "*Rigveda Commentar*" 58.

27 Weber "*Indische Studien*" I, 186.

exponents and leaders of Jainism and Buddhism and other dissentient sects were Kshatriyas. If the ruling class began to revolt from the Vedic polity, there was no wonder that the Vaishyas and the downtrodden Sudras followed their train too. Hence the class-struggle entered a new phase of religious struggle.

The Sociologists opine that everywhere in ancient and mediæval ages class-struggle has taken form of religious struggle<sup>28</sup>. And it is a historical truth. In politically developed states of Greece and Rome class-struggle was very clear and followed a clear political path. But in the latter part of the Roman Empire when the slaves and the lowly accepted Christianity and in the Middle Ages when the heretical sects fought the Roman Catholic hierarchy, did not class-struggle take the form of religious struggle<sup>29</sup>? We will have to see the historical materialistic force behind the heretical movements. We must remember that the Ideological interpretation of history and the Economic interpretation of history meet in the common ground—interest<sup>30</sup>.

Hence what was the motive force behind the revolt against the Vedic sacerdotalism by the non-Brahman classes of India of those days. A historical materialistic interpretation of the phenomenal rise of Buddhism in India is not yet given. What was the force that led the masses of peoples to accept a religion which ensured salvation to all and gave a democratic polity to them? We will have to reconstruct the history of this period.

Then came the rule of the Nandas after the Kshatriya rule of the Saisunagas in Magadha. It seems that the Nandas were not accepted as Kshatriyas and the Puranas say that Mahapadma Nanda uprooted the Kshatriyas<sup>31</sup>.

28 Doellinger, "*Contributions to the theory of Sects*". Vol. II.

29 Max Beer, "*Social struggle and Social Forerunner*". p. 146.

30 Ward, "*Applied Sociology*."

31 Pargiter, *The Purana Text of the Dynasties of the Kali Age*.

The question can be pertinently asked here, what led to the holocaust of the Kshatriyas by Mahapadma? The Puranas are silent about it. Was it due to the fact that perhaps the 'Nandas were not accepted as Kshatriyas, being the illegitimate offsprings of the Saisunagas or that they were the offsprings of mixed unions of some sort? At least the Purana says, Mahapadma Nanda who exterminated the Kshatriyas had a Sudra woman for a mother, while his relative Chandragupta narrated to the Macedonian Alexander<sup>32</sup> that really he was born of a barber and asserted that as such he was hated by the people. But the Puranas speak of a King of Magadha, Visvasphani who "overthrowing all kings will make other caste kings, namely, Kaivarttas, Pancakas, Pulindas and Brahmans, overthrowing the Kshatriya caste will create another Kshatriya caste"<sup>33</sup>.

Now the question is, who is this Visvasphani who made such a terrible revolutionary change in the country that was ever recorded in Indian history? Pargiter puts his date in the Third Century after Christ. But Shamasastri<sup>34</sup> conjectures that he may be one of the "wild chiefs of Sudra origin like Chandragupta" and he sees it confirmed in the illustration of this Visvasphani, thereby putting the date of this occurrence in the third century before Christ; while Jayaswal<sup>35</sup> tries to bring out proof that this mysterious personage was no other than the Scythian satrap, Banaspharas, of Benares. This assertion requires further proof, but it seems, that either Mahapadma Nanda or Chandragupta may fit the Pauranic description. With the rise of the Maurya Chandragupta the ruling power fell in the hands of the Sudras. And this struggle might have led to the fearful massacre of the former ruling class, the Kshatriyas and the creation

32 *Ditto*.

33 *Ditto*, p. 73.

34 R. Shamasastri, "*Evolution of Indian Polity*", pp. 140-141.

35 Jayaswal "*History of India*" 150 A.D. to 350 A.D. in *J. B. O. R. S.* Vol. XIX Pt. I and II. 1935, pp. 41-42.

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The question can be pertinently asked here, what led to the holocaust of the Kshatriyas by Mahapadma? The Puranas are silent about it. Was it due to the fact that perhaps the Nandas were not accepted as Kshatriyas, being the illegitimate offsprings of the Saisunagas or that they were the offsprings of mixed unions of some sort? At least the Purana says, Mahapadma Nanda who exterminated the Kshatriyas had a Sudra woman for a mother, while his relative Chandragupta narrated to the Macedonian Alexander<sup>32</sup> that really he was born of a barber and asserted that as such he was hated by the people. But the Puranas speak of a King of Magadha, Visvasphani who "overthrowing all kings will make other caste kings, namely, Kaivarttas, Pancakas, Pulindas and Brahmans, overthrowing the Kshatriya caste will create another Kshatriya caste"<sup>33</sup>.

Now the question is, who is this Visvasphani who made such a terrible revolutionary change in the country that was ever recorded in Indian history? Pargiter puts his date in the Third Century after Christ. But Shamasastri<sup>34</sup> conjectures that he may be one of the "wild chiefs of Sudra origin like Chandragupta" and he sees it confirmed in the illustration of this Visvasphani, thereby putting the date of this occurrence in the third century before Christ; while Jayaswal<sup>35</sup> tries to bring out proof that this mysterious personage was no other than the Scythian satrap, Banaspharas, of Benares. This assertion requires further proof, but it seems, that either Mahapadma Nanda or Chandragupta may fit the Pauranic description. With the rise of the Maurya Chandragupta the ruling power fell in the hands of the Sudras. And this struggle might have led to the fearful massacre of the former ruling class, the Kshatriyas and the creation

<sup>32</sup> Ditto.

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exponents and leaders of Jainism and Buddhism and other dissentient sects were Kshatriyas. If the ruling class began to revolt from the Vedic polity, there was no wonder that the Vaishyas and the downtrodden Sudras followed their train too. Hence the class-struggle entered a new phase of religious struggle.

The Sociologists opine that everywhere in ancient and mediaeval ages class-struggle has taken form of religious struggle<sup>28</sup>. And it is a historical truth. In politically developed states of Greece and Rome class-struggle was very clear and followed a clear political path. But in the latter part of the Roman Empire when the slaves and the lowly accepted Christianity and in the Middle Ages when the heretical sects fought the Roman Catholic hierarchy, did not class-struggle take the form of religious struggle<sup>29</sup>? We will have to see the historical materialistic force behind the heretical movements. We must remember that the Ideological interpretation of history and the Economic interpretation of history meet in the common ground—interest<sup>30</sup>.

Hence what was the motive force behind the revolt against the Vedic sacerdotalism by the non-Brahman classes of India of those days. A historical materialistic interpretation of the phenomenal rise of Buddhism in India is not yet given. What was the force that led the masses of peoples to accept a religion which ensured salvation to all and gave a democratic polity to them? We will have to reconstruct the history of this period.

Then came the rule of the Nandas after the Kshatriya rule of the Saisunagas in Magadha. It seems that the Nandas were not accepted as Kshatriyas and the Puranas say that Mahapadma Nanda uprooted the Kshatriyas<sup>31</sup>.

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Then comes Asoka, the grandson of the first Sudra emperor of India. If Kautilya was hard on the Sudras in the matter of 'wergeld' and upheld the sanctity of the Brahmans in spite of his attempt to do away with slavery in a round-about way, and inspite of calling them as "Aryas", Asoka did away with the rest of the legal inequalities. His edicts testify that he ordered equalities for all his subjects in the matter of lawsuits and punishment.<sup>39</sup> Further, by various means, he took away from the Brahmans the benefices that they were enjoying from old times.<sup>40</sup> It seems that Asoka built up a bureaucracy without a class (Varna) basis. The late Pandit Haraprasad Sastri says that these were the causes which led to the Brahmanical revolt against<sup>41</sup> the Mauryas which came to a head under the Brahman general Pushyamitra. With the downfall of the Mauryas and with the establishment of Pushyamitra, the Brahmins came to rule over a vast area for the first time.<sup>42</sup> With the usurpation

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Thus the "Manava-Dharma Sastra" or the "Laws of Manu" is a great land-mark of class-struggle between the former ruling Sudras with their heretical leanings and the reactionary and counter-revolutionary Brahmans advocating supremacy of the priestly class. Since this time and up to the rise of the Guptas in the Second Century after Christ, there is a long list of Brahmanical emperors and kings both in the north and in the south of India. It seems that Brahmanical hierarchy and claim to sanctity firmly began to be rooted in these ages. It must be during these times that the right of the Brahmans as the first Varna and superior to all took final shape. Otherwise how can the rights of a sacerdotal class which is subservient to others for its maintenance can be so firmly established unless and until the right is asserted and maintained by the force of the state. The Greco-Roman priests, the Jewish Rabbi, the

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Again we find an oppressive Brahmanical priesthood in South-India. Was this tyranny self-imposed on themselves by the non-Brahmans of the South? Did these people inflict these curses on themselves in order to have the satisfaction of calling themselves as "Hindus" when we know Buddhism and Jainism held their sway over there as well. (Jainism is still existing in Mysore). Did the Sudras and the Pariahs who with their complicated social system seem to have seen better days<sup>45</sup> willingly fall into the degradation in which they are still now in order to have the satisfaction of calling themselves as "low castes" or "untouchable Hindus"? The clue to this situation seems to lie in the monopoly of the state power enjoyed by the Brahmans in South India from the day of Satavahana Dynasty down to Vijayanagar Empire.<sup>46</sup> If we peruse the long lists of the ruling dynasties reigning there from the Andhra

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Empire we shall find that some of the dynasties were of Brahman descent. The Brahmanical supremacy installed in the minds of the lower castes the idea that the Brahmans were not only the temporal lords but also the spiritual lords, hence they were to be regarded as the viceregents of God. This outlook is clear enough. When the king is regarded as the viceregent of God, it is no wonder that his caste will get such a veneration from the subject peoples.

Thus the force of class-struggle in determining the status of a class or in its ossified form—caste, cannot be dispensed with. The force of this struggle is too vividly to be seen in the history of Bengal. According to late Pandit H. P. Sastri the former Buddhists of Bengal by losing their state power became the "untouchables" of today as he says "masses of the Anacharaniya classes are the survivals of the forgotten Buddhism".<sup>47</sup> He opined that those of the people of Bengal who after the downfall of the Hindu rule did not either accept Brahmanism or Islam but stuck to their old mode of worship became the untouchables of today.<sup>48</sup> It is clear that a state can elevate a class or degrade it. Such an example we have seen in seventeenth century Poland. History says that when Lithuania became united with Poland, lots of Russians of the orthodox Greek Church entered the newly formed kingdom. But the king of Poland desiring to form his subjects homogeneous in the matter of religion ordained that the Roman Catholic Church was the only religious body to be sanctioned within the state and to enforce his subjects to conform to one religion only, the king with one stroke of pen ordered the Greek orthodox church to be abolished and completely dis-enfranchised the adherents of that Church from the rights of citizenship. Thus

47 H. P. Sastri's Introduction to "*The modern Buddhism and its followers in Orissa*" by N. N. Vasu, p. 23

48 H. P. Sastri's Presidential Speech (in Bengalee.) in Bengalee Literary Conference held at Burdwan, in "*Sahitya Parisad Patrika*" Vol. 36 Pt. I.

the Russian aristocracy and the orthodox people in general, were degraded to ranks of plebians without any political or social rights.<sup>49</sup>

Such an example is also to be found in Persia and other countries when the Mohammedan-Arabs conquered those lands. The former ruling peoples were degraded to the rank of "Jinmi"<sup>50</sup> (tribute-paying Kafirs). The former rulers became Pariahs in their own countries. These examples are brought out here to show that a state can elevate or degrade a class or a caste or a group of peoples; and the status of a class or a caste does not depend upon his physical characteristics, rather it depends upon the state support.<sup>51</sup> This truth we must not lose sight of in the case of Indian caste.

Again coming down to modern India we may pertinently ask, why is it that Gujar is a Sudra while his former kinsman, Pratihara is now a Rajput (modern Kshatriya), why the Jats of Sindh at the time of Ben Kasim were regarded as low ostracised Sudras<sup>52</sup> and were despised by the Brahmans while their fellow-castemen in Northern Rajputana are regarded as Sat-Sudras nowadays and, again to day they are arrogating to themselves the status of Kshatriyas? Why does the Bhuiya of Sonthal Parganas call himself a Kshatriya while his fellow-casteman in West Bengal is regarded as a low caste Sudra? The answer lies in class-struggle, i. e. when a caste in question had enough worldly power to raise himself from its former level, it asserted higher status and laid claims to higher origin. Of course, historians speak of the formation of social distinction by

49 Platonoff, "*History of Russia*"

50 Goldzieher, "*Islamische Studien*"; vide also writings of Noeldeke, von Kraemer, Hitti, "*History of the Arabs*," p. 233 and others.

51 Vide examples in Nepal as seen by H. P. Sastri—N. N. Vasu's book p. 19; also "*Ballala Charita*" where it is said that the king degraded some and raised other castes. The same thing is happening in the Punjab Hills. Vide Ibbetson.

52 Kanungo, "*History of the Jats*."

conquest. When a group of people conquers another, it generally degrades the latter to a lower rank in the body-politic of the society. Such examples are to be found in the case of the Perikoi and the Helots of Sparta and the plebs<sup>53</sup> of Rome and the slaves of Mediaeval Germany. But were they from anthropological standpoint, men of different racial elements and did each of them form a different biotype? No testimony has been brought forward to substantiate such an assertion. A conquering horde may not be of different racial elements from the conquered peoples. Again formation of classes even of castes have been noticed by sociologists and anthropologists in inner Africa.<sup>54</sup> In various places the hardy shepherd tribes have conquered agricultural peoples and have kept themselves separate as ruling castes. It seems that in cases like these, exclusiveness leading to prohibition of connubium is due to the pride of superiority arrogated by the conquerors and the desire to keep their power as such, which is an economic question and which in turn forces the ruler to build up the social hierarchy. Thus class distinction has got an economic origin and when class ossifies into a caste, the economic factors leading to class-interest perpetuate the social hierarchy. It is evident that this has been the case in India when class transformed into caste.

On these grounds, it cannot be maintained that the four Varnas of India originally represented four biotypes or racial elements! Such a hypothesis is absurd on the face of it. But if it be maintained that the three upper castes represented one racial element which formed themselves as privileged twice-

53 Calori "Del tipo brachicefalo negli Italiani odierni" 1868; Nicolucci "Anthropologia del Lazio 1875 also Ripley p. 463. (They speak of the uniformity of race forms in ancient Italy). R. Virchow agreed with Curtius that the Hellenes and the Pelasgians were two different branches of the same basic race. Vide Virchow's "Die urbevoelkerung Europas" p. 18. 1874.

54 F. Oppenheimer "The State"; Vide Von Luschan's Report on the *Hima* and other *Ruling tribes of East Africa*.

born and the conquered aborigines became the servile Sudras, then the question comes up, why again there should be fissures between these three upper castes of the same race and why the priests should assert their superiority and the merchant Vaishya should be ranked as the lowest of the twice-born group? History tells us of the contempt of the aristocrats for the merchant class of every country in ancient times, such has been the case in India as well, and there is enough evidence for this. For this reason, the fighting and ruling born-aristocrats and their kinsmen the priests, have looked down upon the agricultural Vaishyas, though they were included as the citizens of the body-politic of India. In ancient days the Vaishya was called an 'Arya' and the Sudras and the Vaishyas both of whom probably worked together in the same economic fields were called as "Sudraryau"<sup>55</sup> But in the course of time, the occupation of the Vaishya underwent a change. Agriculture and cattle-breeding ceased to be the occupation of the Vaishya. He became only the trader. It is said that in a later period the Vaishya, through merchandise became influential, the rich merchants became "Sresthis"<sup>56</sup> and in the period extending from 6th to 7th century A. D. the men of noble families and versed in the Vedas dominated the merchants' guilds. We are now approaching the modern period when Northern India under the reign of Harshavardhana had alliances extending from the Oxus to the sea, and the South-Indian ruler was receiving a diplomatic mission from the Sassanide emperor of Persia. India of those days was in the heyday of her material prosperity. The Vaishya class became powerful and their power was manifest in the rise of the Vaishya imperial family of the Vardhanas. On the other hand, husbandry and cattle-breeding were left to the Sudras and Mr. S. K. Dass says "In the Punjab and

<sup>55</sup> Zimmer, op. cit. p. 215.

<sup>56</sup> *Vide* "The Bhilsa Topes" by A. Cunningham, Inscription No. 182. *Epigraphia Indica* vol II : Dubkund stone inscription of Kachchhapaghata Vikramsingha. p. 236.

elsewhere, however, several communities did not mind the prohibition (the Buddhist aversion to taking of life) and hence their sinking in public estimation to the rank of Sudra".<sup>57</sup> Thus this age saw the elevation of Vaishya to the ruling class ; hence it is no wonder that in Northern India, outside Bengal, the Vaishya still occupies a good position.

Thus in spite of the Vaishya's claim to be a twice-born and of racial affinities with the upper two classes, his elevation to a higher level comes with his economic and political importance. Here we have another testimony, that economic factors connected with occupation determined the status of a class or caste and its elevation to higher level or degradation was due to its political influence. But what about the Sudras ? This vexed question remains as it is. We are still in the dark regarding the Sudras. As said before they were not mentioned in the oldest part of the Vedas—the Rig,<sup>58</sup> but were first mentioned in Yajur Veda. The question comes whether the name has got an anthropological significance or is it an economic term. It is said that the Sudra is dark, and the Orientalists opine that, he is the true aboriginal of the soil and the general impression is that he is the serf or the slave of the conquering Aryans. But as said before, we have heard of dark-skinned *Rishis* as well as Sudra Kings in the Vedas. The much-maligned Sudra has been harshly treated in the later Smritis. It is quite noteworthy to see that from the Rigveda downwards to Raghunandana, the more we come down to modern time, the more uncharitable attitude is taken by the Brahmans against the Sudra. Manu was fanatic against him. If we scan the Dharma Satras from Gautama, Baudhayana, Apastambha downwards to Kulluka Bhatta and Raghunandana we shall find the attitude of the Brahmans worsening towards the Sudras as more we approach

57 Santosh Kumar Dass, "*The Economic History of Ancient India*" pp. 284-290.

58 The '*Purusha Sukta*' of the *Rig* is regarded by the Orientalist scholars as of latter-day interpolation ; *Vide Vedic Index*, vol. II pp. 247-248.

the modern age. Baudhayana (18. 8) allowed marriage between the Brahmans and the Sudras. Apastambha said "Sudras may cook food for the masters of the higher castes under the supervision of the Aryas (Prasna II), also he said that "the knowledge that exists traditionally among women and the Sudras is the farthest limit of Vidya and it is said to be a supplement of the Atharva Veda" (II. 11,29.11-12).<sup>59</sup> The date of these three as assigned by V. P. Kane, is between 600 to 300 B. C.<sup>60</sup> i.e. post-Vedic age. But Vasistha is against this kind of inter-marriage. He prohibits study of the Vedas by the Sudras or even in their presence. His date is assigned by Kane as "the first centuries of the Christian era."<sup>61</sup> Thus we see that the more we come towards the modern age, the more the Brahmans became hostile towards the Sudras. Finally, after the Mohammedan invasion we find Nagabhatta<sup>62</sup> of Maharastra and Raghunandana of Bengal promulgating that there were only two castes, the Brahmans and the Sudras in India and they degraded all the non-Brahmans to a humiliating position. The only clue to this Brahmanical mentality lies in the development of feudalism in society and the fierce class-struggle that had been raging within it all the time. There had been many cataclysms in the Indian society since the post-Vedic days. The country has discarded Vedicism completely, the members of the four Varnas have held the imperial sway in succession each hurling the other down. The people developed from the tribal stage to the feudal stage. From Harsha downwards to the Palas of Bengal and Magadha, there had been a revival of<sup>63</sup> Buddhist political power. Hence

59, 60, 61 V. P. Kane. "*History of Dharmasastra (Ancient & Mediaeval)*" vol. I. 1930. pp. 41, 8, 58.

62 C. V. Vaidya, "*History of Mediaeval Hindu India*"

63 Lama Taranatha of Tibet in his book "*The Edelsteinmine*" (translated by Gruenwedel) says that there had been incessant appearances of Mahayani *Siddhas* at the time of Emperor Dharmapala, i. e. a great revival of Buddhism took place at that time.



there is no wonder that the Brahmana would anathematise the Buddhists and their followers. Jayswal says that once a Buddhist was synonymous with Sudra. Hence comes the fanatical outlook of the Brahmins.

This struggle may accentuate the hatred of the priesthood who taking their place as ruling class may show uncharitableness towards the masses but the origin of the Sudras is still shrouded in mystery !

### Who are the Sudras

Were they the descendants of the early peoples of the soil or were they generally the helot class of India, or were they Aryans of the lowest strata of the society ? Are the Sudras the descendants of the Dasas and the Dasyus mentioned in the early Vedas ? It seems that nobody is clear about it. The Index says "Dasa like Dasyu sometimes denotes the enemies of a demoniac character in the Rigveda but in many passages the word refers to human foes of the Aryans"<sup>64</sup> ; and since the Dasas were in many cases reduced to slavery, the word Dasa has the sense of a slave in several passages of the Rigveda.<sup>65</sup> But it is also clear from the Rigveda that these peoples stood on higher level of civilization as they had "Ayasapuri" (iron-walled forts ?). Hence they were not contemptible. It is said that the word Sudra means "one who grieves" ; he is called the "child of misery". The Orientalists opine that the treatment meted towards the Sudras in earlier Sanskrit texts and the low amount of wergeld for slaying him "reminds us of the condition of the serfs whom they legally restrained, still gradually he won his way to the rank of a freeman".<sup>66</sup> On the other hand, in certain passages the Sudra is given a place in the Soma sacrifice (Satapatha Brahmana V. 5, 4, 9 ; i, I, 4, 12) ; again rich

64—65. *Vedic Index*, Vol. I.

66. *Vedic Index*, Vol. I.

Sudras are mentioned in the early texts (Maitrayani Samhita IV. 2, 7, 10 ; Panchavimsa Brahmana VI. 1, 11), some of king's ministers were Sudras (Satapatha Brahmana V. 3, 2, 2) just as Sudra "gahapatis" (householders) occurred in the Buddhist texts and Sudra kings in legal literature (Fay, "Die königliche Gewalt" and Fick, "Soziale Gliederung" 83-84). Sin' against the Sudra and Arya is mentioned (Kathaka Samhita XXXVIII, 5 ; Taittiriya Samhita IV. 8, 3, 1), prayers for glory on behalf of Sudra and other castes (Taittiriya Samhita V. 7, 6, 4) ; on the other hand Sudra uses Magic just as an Arya is also recorded ; and the desire to be dear to Sudra as well as to the Aryas is expressed (A. V. XIX, 348, 141 ; Vajasaneya Samhita XVI. 2). Again the Sutras recognise that Sudras can be merchants (Gautama X, 62), or even can exercise any trade (Vishnu II. 14). Moreover illicit union between Arya and Sudra or a Sudra and Arya are referred to in Samhitas of the Yajurveda (Arya and Sudra—Vajasaneyi XXXII. 30 ; Taittiriya VII. 4, 196 etc. Sudra and Arya Vajasaneyi XXIII. 31 ).<sup>67</sup>

Thus while we have anathemas against the Sudras on the theoretical plane, the practical situation is to be seen from these quotations. On this account we do not wonder that class-feeling may be expressed in the anathemas but the actual working condition was different. The anathemas in the Brahmanical Sutras can be taken as showing only as pious sayings of an interested class, expressing their prejudice as the very fact of illicit connection between Sudra and Arya women in Vajasaneyi Samhita is deliberately ignored in Satapatha Brahmana.<sup>68</sup> It is a pure case of class-prejudice which tries to hide the real situation.

These references put us in doubt regarding the Sudras. If the latter were the noseless black-skinned aborigines as depicted

67 *Vedic Index*, Vol. 1.

68 *Vedic Index*, Vol. 1.

by the Orientalists, then how could they assume such positions as referred above? Moreover the Purushasukta by saying that the four Varnas arose out of the four limbs of the God did not put them in a separate category from that of the Aryas. The Purushasukta ascribed a common origin of all castes from God. Again Kautilya accepts them as the *Aryas* and Manu, though hard on them he did not deny that they were regarded as a part of the same social-polity and all men are described to have a common ancestor in Manu (1—31). Also in *Atri Samhita* the *Sudra*, *Nishada*, *Chandala* and *Mlechha* are given Brahmanical (*Vipra*) origin.<sup>69</sup> Further the material conditions of the Sudras referred to above do not show them to have been a race of serfs and slaves—the helots of India. This fact, we should bear in mind. If there had been serfs and slaves in ancient India, yet it cannot be said that the Sudra class in general were the bondsmen.

### Wer-geld of Non-Brahmans.

The idea about the Sudra is generally taken from the Dharma-sastras and if they were uncharitable towards the Sudra and hedge him with all kinds of vexations and restrictions, the same authorities have not spared even the other upper two classes above the Sudras. In the matter of law and punishment and other treatment, the Kshatriya and the Vaishya fared worse than the Brahmana in the Dharma Sastras, though not so badly as the Sudra. The discriminations made against the other two classes of the twice-born group were vexatious enough. By referring to some of these Sastras we find the following: "By somehow knowing of a Brahman-woman, a Kshatriya or Vaishya would be purified in a month by living on barley and the urine of a cow" (Yajnavalka Samhita 167). "No offence is committed if a maiden of an inferior caste is lustfully disposed; otherwise

there is penalty for the offence. Death is the penalty, if a similar offence is committed on a woman of higher caste" (Ibid, 291). "Punishment should be meted out in order of superiority of Varnas (Brahmans, Kshatriyas, Vaishyas, Sudras) and castes i. e. mixed castes" (Vyasa Samhita, 209.). "(By taking) a Brahman's food, one attains to poverty, (by taking) a Kshatriya's food one becomes a beast, (by taking) a Vaishya's food one becomes a Sudra; and (by taking) a Sudra's food one, foresooth, goes to hell" (Angiras Samhita 56). "He who dies with the boiled rice of a Brahman in his stomach acquires nectar after death; dying with that of Kshatriya's in stomach, he is permitted with indigence in his next birth; with that of a Vaisya in his stomach, he is consigned to the vile necessity of eating a Sudra's boiled rice again, and with that of a Sudra's boiled rice in his stomach he is consigned to the torments of hell in his next life" (Atreyi Samhita, 67). "Having taken the beef or the boiled rice of the Chandala...a Brahman should gift a cow, Kshatriya two, Vaishya three and the Sudra four cows, under the circumstances" (Parasara Samhita 1-3). "All the Mahapatakis (great sinners) save the Brahmans are subject to capital punishment. There is no corporal punishment for a Brahman" (Visnu Samhita Ch V. 1-2). "A Kshatriya having defamed a Brahman shall be fined one hundred (panas), a Vaishya one hundred fifty or two hundred; a Sudra shall suffer corporal punishment (Manusamhita Ch VIII. 267): a Brahman shall be fined fifty (panas) for defaming a Kshatriya: in the case of Vaishya, the fine shall be twenty five (panas), in the case of a Sudra twelve" (Ibid 268).

Apart from the Dharmasastras Kautilya, the minister of a Sudra emperor, did also uphold the juridical and social inequalities. He, in his Arthasastra said "He who causes a Brahman partake of whatever food or drink prohibited, shall be punished with the highest amercement: he who causes a Kshatriya do the same shall be punished with the middlemost

amercement, a Vaishya with the first amercement and the Sudra with a fine of 54 panas" (Arthasastra, 236).<sup>70</sup> Also he said "a Kshatriya who commits adultery with an unguarded Brahman woman shall be punished with the highest amercement ; a Vaishya doing the same shall be deprived of the whole of his property and the Sudra shall be burnt alive, wound round in mats" (Ar. 285).<sup>71</sup>

Thus such like quotations can be cited *ad nauseum* showing that not only the Sudras but also the Kshatriyas and the Vaisyas fared badly in the hands of priestly class. So it is not a fact that only the Sudras as the descendants of the black aborigines and as the serfs and slaves of the conquering light-skinned Aryas, felt the brunt of prejudice of the conquerors. Inequalities in law, punishment, right of inheritance and social treatments had been the backbone of Indo-Aryan Polity, and it seems that the more the society advanced from the tribal state to a feudalistic state, the inequalities became more marked. Of course, the brunt of unequal treatment was felt by the Sudras most as described in the Brahmanical texts. But just the same, the other castes above the Sudras felt the burden of these inequalities and their difference from those of the Sudras lay in proportion only. But making a comparative study with the countries having had a similar socio-political evolution and civilization it will be found that the peoples in those countries had to put up with similar kinds of unequal treatments. The difference was that, in India the members of the sacerdotal caste seized the political power and kept it to themselves for a long period.

<sup>70</sup> Kautilya's "*Arthasastra*", translated by R. Shamasastry, Bk. IV, Chapter XIII, pp. 282-285.

<sup>71</sup> Ibid.

## CHAPTER II.

### Historical Parallels.

#### Egypt.

In the course of our enquiry into the social conditions of Classical country of the Nile Valley we find an organised priesthood. Here the king himself was a priest, and in Feudal Age under Empire we find the social hierarchy getting hardened. At this period, as Hall says "The priests had already begun to be a caste apart as they never had been before when the noble was naturally the priest ; but the time had not yet come when the priests were to usurp the natural functions of laymen. This came about only when the strength of the controlling link was weakened by religious heresy and loss of foreign dominion and the resultant poverty and loss of royal prestige".<sup>1</sup> Here do we not find a somewhat analogous position with that of India? At first the king and noble were also priests, then in a state of Feudalism, the functions became separate and the priests became a caste by themselves ; later during the period of political confusion and the weakening of the state-power, priests siezed more power and became more important. It is also said that the priesthood never became a caste like that of India. Though the priestly class dominated the whole of Egypt, yet they temporarily ruled a part only. For this reason it may be possible that the evolution towards an exclusive caste was hindered, though a hereditary class was evolved. But Hall says that it was a "Caste".

If we refer to the history of Egypt, we find that in the 'Old Kingdom' as Breasted says "The priesthood was but an

1 H. B. Hall, "The Ancient History of the Near East", p. 284.

incident in the duties of the local noble who was the head of the priests in the community; but the exalted position of the Pharaoh as the notion developed, made him the sole official servant of the Gods".<sup>2</sup> In this age, the priesthood was not above the nobility and the king was the head of the national religion. Later, in the 'Middle Kingdom' during the Feudal Age, "The inheritance by the son of his father's calling already not uncommon in the 'Old Kingdom' was now general".<sup>3</sup> Regarding religion, the said author says "In no element of their life are there clearer evidences of change and development than in the religion of the Middle Kingdom Egyptians".<sup>4</sup> As the local gods came to prominence, their priesthood gained affluence and "The theologising of the priests found practical expression in God's name".<sup>5</sup> Thus exploitation of the people began. Then after the fall of the Hyksos, the Empire was established. And "As a natural consequence of the great wealth of the temples under the Empire, the priesthood becomes a profession. . . As priests increased in numbers they gain more and more political power. . . Priestly communities had thus grown up. . . The numbers of the sacerdotal guild thus became a new class".<sup>6</sup> Then came the religious revolution of Pharaoh Ikhnaton. "His father had evidently made some attempt to shake off the priestly hand that lay so heavily on the sceptre. . . He resolved upon radical measures. He would break with the priesthoods and make Aton the sole God. . . The priesthoods including that of Amon, were dispossessed".<sup>7</sup>

But with the death of Ikhnaton, his religious movement failed. His successors were compelled to make compromise

2 I. H. Breasted, "A History of Egypt", p. 62.

3 " " " " " " p. 169.

4 " " " " " " p. 170.

5 " " " " " " p. 170.

6 " " " " " " p. 247-248.

7 " " " " " " p. 362-363.

with the priesthood. At last, at the close of the Eighteenth Dynasty, Pharaoh Harmhab the restorer, resumed the old order. But after the restoration, things went worse. In the Eighteenth Dynasty of the High Priest of Amon had become "head of all the priesthoods of Egypt",<sup>8</sup> in the Nineteenth Dynasty he had gained hereditary hold upon his office.<sup>9</sup> "Gradually the High Priest of Amon was now rapidly growing to measure his stature with that of the Pharaoh himself."<sup>10</sup> Slowly the High Priest of Amon virtually became the head of a Theban principality.

Thus with the growth of priestly principality at Thebes, the Egyptian Empire fell. The High priest made Thebes a theocratic state and "Priestly jugglers, ruling if necessary in utter disregard of law and justice, thus enabled the High Priest to cloak with the Divine Sanction all that he wished to effect".<sup>11</sup> Thus, in a section of Egypt the priesthood gained the ruling power. Then came the Assyrian invasion and in the turmoil, the High Priest of Amon became a mere figurehead. "The Theban hierarchy as a political power had thus been dissolved".<sup>12</sup> Later came the restoration under Psamtik.

At that time there was longing for the past and Egypt tried to go back to old days. "And inexorable exclusiveness like that which was soon to take possession of the new-born Jewish community was also now universally enforced".<sup>13</sup> In this attempt "The priests succeeded little better than the officials in their revival of the good old times. . . . The priests now constituted a mere exclusive and distinct class than were before and the office had become inalienably hereditary".<sup>14</sup> As regards social classification, Wilkinson says that the order followed as such : first, the sacerdotal order ; second, the soldiers and peasants ; third was that of the townsmen and fourth, the plebs or the common people. According to him, the three

8-14 Breasted. pp. 395, 495, 509, 523, 567, 571, 575.

\* Ibid. op. cit. p. 574.



great classes of society—priests, scribes and warriors were by no means castes in the sense of hereditary succession, though a son often followed the profession of his father. It was from one or other of these two orders that the king was obliged to be chosen.

Thus in the evolution of priesthood in Egypt we find the laymen as the priests, then under the Empire the latter became a social class and during the Nineteenth and Twentieth Dynasties military feudalism became religious feudalism\*. Later, the priests seized political power in Upper Egypt and finally at the Restoration which was mainly the work of their efforts, they became a hereditary class. Here it is evident that the pretensions of the Egyptian priests increased with the advancement of their political power. Of course, in the case of the Egyptian priests, the historians do not speak of the prohibitions of connubium and commensality with others. Perhaps the other factors leading to these customs were absent.

### Mesopotamia.

In coming to the Mesopotamian Valley, we find hierarchical form of society, classes which are exclusive to each other and practising endogamy.<sup>15</sup> There was a priestly class which was again divided into mutually exclusive bodies with their own traditions. The Guild of Soothsayers was a specially exclusive body, the office descending from the father to the son. Similar regulations would apply to other priestly guilds.<sup>16</sup> In the code of Hammurabi, we find legal inequalities and class distinctions recognised in all walks of life.

It is also said that Hammarabi's code was similar to the older code of the Sumerian King Urkagina. "The great Code of

\* "Histoire Ancienne Des Peuples De L'orient Classique", pp. 488-9.

15 Bruno Meissner, "Babylonie und Assyrien", p. 373.

16 H. Zimmern, "Babylonians and Assyrians", P. 318.

Hammurabi's laws which is claimed to have influenced Western Codes besides having moulded much of Mosaic legislation, is now definitely known to be of Sumerian origin".<sup>17</sup> Thus, if the Babylonian Society was composed of unequal social classes the more ancient Sumerian society possibly was not exempt from it.

In the Code of Hammurabi, we find that the society was divided into three main classes which were well defined strata in the body-politic of Babylonia. The upper or the topmost class comprised the ministers, the court-officials, the state servant and the proprietors of the lands. A member of this class was called *Awilum*. The second class was composed of the freemen who did not come within the purview of the rank of nobles. It was called as *Mushkenum*. The lowest and the last section was composed of slaves who were owned by the two upper classes. They were called *Ardu*. Though this class had few rights of their own to enjoy, there were provisions in the law that under certain circumstances they could acquire the rights and even their freedom. A male slave could marry a free-woman and his children were counted as free. And in case the wife was a free-woman she could keep to herself her marriage portion and if the pair acquired some property during the time they lived as man and wife, the owner of the slaves could only lay claim on one-half of the property, the other half being retained by the free-woman for herself and for the use of her children.

The remarkable thing in the Babylonian law was that there were class-legislations for each stratum of the society. "The difference, which divided and marked off from one another these two great classes of freemen in the population, is well illustrated by the scale of payments as compensation for injury which they were obliged to make or were entitled to receive."<sup>18</sup>

17 Leonard W. King, "A History of Sumer and Akkad", p. 348; also, Cuq "Nouvelle Revue Historique", p. 485.

18 Lenard King, op. cit., p. 165.

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16 H. Zimmern, "Babylonians and Assyrians", P. 318.

Hammurabi's laws which is claimed to have influenced Western Codes besides having moulded much of Mosaic legislation, is now definitely known to be of Sumerian origin".<sup>17</sup> Thus, if the Babylonian Society was composed of unequal social classes the more ancient Sumerian society possibly was not exempt from it.

In the Code of Hammurabi, we find that the society was divided into three main classes which were well defined strata in the body-politic of Babylonia. The upper or the topmost class comprised the ministers, the court-officials, the state servant and the proprietors of the lands. A member of this class was called *Awilum*. The second class was composed of the freemen who did not come within the purview of the rank of nobles. It was called as *Mushkenum*. The lowest and the last section was composed of slaves who were owned by the two upper classes. They were called *Ardu*. Though this class had few rights of their own to enjoy, there were provisions in the law that under certain circumstances they could acquire the rights and even their freedom. A male slave could marry a free-woman and his children were counted as free. And in case the wife was a free-woman she could keep to herself her marriage portion and if the pair acquired some property during the time they lived as man and wife, the owner of the slaves could only lay claim on one-half of the property, the other half being retained by the free-woman for herself and for the use of her children.

The remarkable thing in the Babylonian law was that there were class-legislations for each stratum of the society. "The difference, which divided and marked off from one another these two great classes of freemen in the population, is well illustrated by the scale of payments as compensation for injury which they were obliged to make or were entitled to receive."<sup>18</sup>

17 Leonard W. King, "A History of Sumer and Akkad", p. 348; also, Cuq "Nouvelle Revue Historique", p. 485.

18 Lenard King, op. cit., p. 165.

Further the penalties for assault showed the difference of the social classes, viz. "A noble could demand and exact retaliation for injuries from one of his own class whereas he merely paid a money compensation to any man of the Middle Class he might have injured."<sup>19</sup> As for the slave, "For bad offence he was liable to severe punishment, such as cutting of the ear."<sup>20</sup> (Compare "Vishnu Samhita" 39).

Thus the "distinction of classes in fixing fines and punishments is the characteristic of the Code throughout—a differentiation according to the rank of the injured party. A free plebian being of higher grade than the slave and the nobleman above both, the illegality was regarded as of a higher or of a lower severity corresponding to the difference in ranks."<sup>21</sup>

In these social cleavages and unequal laws about crimes and punishments etc., do we not find some echoes of the Brahmanical *Dharmashastras*? The European scholars attribute these differences as due to *Lex Talionis* arising out of race-distinctions or rather the difference between two groups of peoples. If the social hierarchy of the Babylonian society was due to the difference of race with the Sumerians, then the latest craniometrical investigation<sup>22</sup> shows that the older population of Kish seemed to be very mixed. Regarding the Sumerians, the historian Hall says "They had imposed their higher culture on the more primitive inhabitants of the river valley in which they had settled and had assimilated the civilization of the conquered, whatever it may have been to their own."<sup>23</sup> The Sumerian language was non-Semitic, they conquered perhaps a Semitic people and in turn were conquered by the Semitic Babylonians,

19 King, p. *ibid.*

20 King, *op cit.* p. 166.

21 Morris Jastrow, "The Civilisation of Babylonia and Assyria", p. 293.

22 Dudley Buxton and Talbot Rice, "Report on the Human Remains found at Kish" J. R. A. Vol. lxi 1931.

23 H. R. Hall, "The Ancient History of the Near East", P 172—179.

The Semitic Babylonians were again conquered by the Kassites, and Hall says, "The racial difference between the new conquerors and their subjects was great".<sup>24</sup> There is little doubt that the Kassites were Indo-Europeans and spoke an Aryan tongue,<sup>25</sup> but we do not hear of class or caste-division with the conquering Sumerians. Why at least the conquering 'Aryan' Kassites who ruled over Babylonia and Assyria for a long time did not build up caste-system like that in India? Why does the race-difference failed to build a system here?

Surely, race-distinction gave rise to social stratifications in many places but when a fusion took place giving rise to a homogeneous national state then we are to look for other factors for the upkeep of the distinction. It is human to think that differences of physical characteristics among the members of a given society or the remembrance of the past bitterness between the conquered and the conquerors do not perpetuate social distinctions, rather the difference of economic interests create it after the new period of social integration has set in. Hence we are to look for class-interests rather than race-interests for the stratification of a society.

As regards the theory that race-difference gave rise to class-differences, we quote here the renowned Italian Anthropologist, Prof. Sergi ("The Mediterranean Race" p 113). Regarding the Egyptians he says "Not only in the comparison of the pre-historic skulls with those of the Dynasties do we find that both show the same forms and therefore belong to the same stock...On these grounds the conviction has grown in my mind that there is no difference in race between the historical Egyptians and the men

24 H. R. Hall, "The Ancient History of the Near East", P. 201.

25 T. Scheftelowitz,—"Die Sprache der Kossäer" in Zeitschrift fuer Vergleichende Sprachforschung Bd 38, 1905 P 263—269; also vide the discussion about the Kassite question by B. N. Datta "Ancient Near East and India—Cultural Relations" in "Calcutta Review," Sept, 1937.

who preceeded them, [In footnote Prof. Sergi says, 'I must admit here that Prof. Petrie (J. A. I. 1899, p. 202) has sometimes since modified his opinion regarding the "new" race. Speaking of objects found in the tombs of this population he writes : "These were at first temporarily assigned to a new race, as we knew nothing more about them ; but further research had shown that they could not be safely assigned to the pre-dynastic stock about 5000 B. C. and even earlier"...At the same time Prof. Petrie maintains his opinion that this population, now termed by him pre-dynastic differs in type from that of historical times'], the so-called Proto Egyptians of Evan's and Morgan's "old Race" both alike belonged to Mediterranean stocks and are of African origin."

Again Elliot Smith says "If there is one fact more than another that can be said to have been definitely established by the modern Anthropological research, it is certainly that the Proto-Egyptians were linked by the closest bond of racial affinity to the early Neolithic population of the North African littoral and Southern Europe. My own investigation corroborates the conclusions in regard to this matter obtained by other means by Prof. Sergi and set forth in his "Mediterranean Race" ("The Ancient Egyptians and their influence upon the Civilization of Europe", p 18). Hence, the talk of difference of race giving rise to class-differences everywhere is not convincing.

In Rome the "XII Tables" not only forbad marriage between the Patricians and the Plebeians but the children born from Plebeian mother and of Patrician father did not get father's right and were reckoned as Plebeians.<sup>26</sup> Again, the Curia of the citizens had its own *Sacra* (Dionys. 1123 p 93). But the Plebs were denied at first the Roman rights of profit (*Jus Commercii*). They did not get the full rights of Roman citizenship. Also they had no rights to vote (*Jus Suffragii*) in *Curiata comitia*, no

rights to enter the religious worships and priesthood of the state. They had no duty to perform.<sup>27</sup> In old Greece the son of an upper-class man by a slave-girl was regarded as a 'Bastard' and received a smaller part of the father's property than his well-born brother.<sup>28</sup> The Grecian 'Citizens' were separated from the non-citizens by some differences of private law, such as, right to possess land, right to appear directly in court or an independent court and also religious differences, viz. taking part in certain religious functions partly general, partly of Trade Guilds. Finally, Epigamy, i.e., marriage between persons of unequal ranks was denied. Marriage between citizens and non-citizens as having legal bearing in the matter of private laws, political and sacred rights, was forbidden. In the time of 'Oligarchy' such marriage rarely took place, though informations are lacking whether it was legally forbidden. In the time of 'Timocracy' there was difference. Only in 'Democracy' all citizens became full citizens in the aristocratic sense. Of course, non-citizens and slaves were shut out from this legal equality.<sup>29</sup> Are not these the echoes of Manu's strictures against the Sudras?

In this way, we see the anathemas of the priestly class of India against the class standing lowest in the social order and the difference of punishment ordained according to the class of the offenders, the right of inheritance of the son varying according to the class of the father or the mother, even in some cases, proprietary right varying according to the class of the person in question, are not peculiarly Indian institutions.

### Persia.

Next we come to Persia, a country of Indo-European speaking people. Regarding Persia Spiegel<sup>30</sup> says "We have already

27 A. Schwegler, "Roemische Geschichte", pp. 620—621

28 G. Busolt, "Griechische Staatskunde", pp. 220—222

29 G. F. Schoemann, "Griechische Altertumer". p. 105

30 Fr. Spiegel,—"Iranische Altertumskunde" Bd. III. p. 548.



acknowledged the possibility that in older time of the Iranian History tribes of Non-Iranian origin might have settled in Iran. Singly we hear nothing of an oppressed stratum of the population, and must conclude that the stranger population either enjoyed the same rights with the Iranians or they were so unimportant that they were not considered separately (recently the Assyriologists have energetically advanced the thesis that during the time of Assyrian empire, Iran was still full of Turanian peoples)".<sup>31</sup>

Regarding the somatology of the modern Persians, Daniloff says that the head of the Persians is medium sized, the cephalic index being 78.2 (the range of variation is from 94 to 68).<sup>32</sup> The majority belongs to Dolichocephal and mesocephal varieties; pronounced Brachycephaly is relatively rare. The nose is medium sized, the colour of the eyes is brown or dark, the hair is wavy and of black or dark chestnut colour.

Regarding the measurement of the ancient Zoroastrian Persians, Khanikoff<sup>33</sup> gives the measurement of five Guebre (Zoroastrian) skulls brought from Yezd and Kerman. The average indices of these skulls are 69.8 which signify their hyperdolichocephalic characteristic. Again Gustav Fritsch<sup>34</sup> gives the measurements of two Guebre skulls brought from the ancient Zoroastrian cemetery of Ragaz near Teharan which fall within the range of mesocephaly.

Thus we see that ancient Persians had dolichoid (dolichocephal and mesocephal) headform and the present-day

31 The so-called Turanians of Central Asia are nowadays considered to be Iranians.

32 Daniloff, "Charakteristika Anthropologischeskuch. physiologit soloskich schert somromo nuedoo russederie Persun".

33 Khanikoff, "Memoire sur L'Ethnographie de la Perse"; "Natural History of the Iranians".

34 Gustav Fritsch, "Bericht ueber einen Besuch auf den Ruinen des alten Raghas bei Teharen" in Z. F. Ethnologie Bd. vii 1875.

Mohammedan Persians have, on the average, the same head characteristics, though brachycephaly is also to be found with some of them.<sup>35</sup>

In these reports we see that the ancient Persians are supposed to have been comparatively homogeneous in their racial composition; yet history says that there were class-divisions in the Zoroastrian society. Spiegel<sup>36</sup> says that there is a certain similarity between the Indians and the Persians. The society of the latter was divided into four divisions: the priest, the warrior, the cultivator and the traders. In the Avesta, these divisions were not unknown which speak at least of three classes. Then another class was added to the list as the later books testify.<sup>37</sup> The introduction of the different classes is ascribed to Zoroaster<sup>38</sup> who at first combined all these three classes in his own person. Then his three sons became the ancestors of these three classes.<sup>39</sup> The traders were not counted separately, perhaps they were counted with the cultivators.<sup>40</sup> The traders must have been present in the country in small proportion, as the traders and the artisans would naturally live in the cities or separately. On this account perhaps in the beginning they did not have any classification.

After these evidences from the Avesta we find that the *Athravans* (priests) formed an exclusive class. They had a high priest who had his seat in Ragaz in Media. From there he ruled as an autonomous religious prince.<sup>41</sup> The priesthood formed not only an exclusive class but also a hereditary body which remains intact even today, as Framjee says "The priest

35 Khanikoff and von Luschan give the cephalic measurements of some living Persians which have brachycephalic characteristics. The subjects of Khanikoff are from Ghilan and Mazendran and some are Kurds.

36, 37, 39, 41 Spiegel, op. cit. pp. 549-550, 550, 550, 564.

38 Compare with it the story of "Purusha Sukta" of the Vedas.

40 Compare the position of the *Sudrarayau* the Vaishyas and the Sudras of the Vedas with this Zoroastrian situation.

does not acquire his position from sacerdotal fitness or superior learning. Strictly speaking he cannot be called a spiritual guide. The son of a priest is also a priest,<sup>42</sup> unless he chooses to follow another profession which is not prohibited to him. But a layman cannot be a priest".<sup>43</sup> Thus priestly function with the Zoroastrians is hereditary. This priestly class has its duties to perform.

Then comes the warrior class, *Rathaishtira*. The warrior or the knightly class should be regarded as farmer aristocracy which lived together with the great landlords who are called *Kshatras*.<sup>44</sup> The class of small farmers known as *Vasthja Fschujat*<sup>45</sup> was numerous and formed the majority of the people. Lastly, in *Jasna* we find the last class, the *Huti* or *Huiti* who were the tradesmen.<sup>46</sup>

According to Geiger, these classes were formed according to profession (*Pishtra*). Besides these, there was an unfree class in the Avestic period, as every freeman could lose his freedom by pawning it.<sup>47</sup>

Further he says that in two places the Avesta mentions a servile class, the *Vaisu*.<sup>48</sup>

Finally the same savant says that the characteristics of caste did not exist in the ancient society of Persia.<sup>49</sup>

Thus we see that there were classes in ancient Persia, the names of some of which seemed similar to the Vedic ones.<sup>50</sup> If there had been differences of tribes and peoples, they did not form castes like what it was in India. Regarding these

42 Compare the Brahmanical custom with it.

43 Donabhy Framjee, "The Parsees", p. 277.

44, 45, 46 H. Geiger, "Ostiranische Kultur in Altertum", P. 477, 479, 479.

48 Geiger says that the connection between the *Vaisu* and the Sanskrit *Vaiśya* (Vaishya) is not certain.

47, 49 H. Geiger—op. cit P477 ; p. 485.

50 The priest of the Atharva-Veda was called "Atharvan" and the Indo-Aryan warrior was called *Kshatra* or *Kshatriya*. The old Persian is *Kshathia* or *Kshayathia*.

Zoroastrian classes. Dhalla says "In India these classes (4 divisions) developed into rigid caste, but in Persia...priesthood alone evolved into a separate *caste* by itself whereas the other three orders remained divisions in name only."<sup>51</sup>

### Greece

We now come to Europe. The oldest states that we meet in the continent lie around the Aegian Sea,<sup>52</sup> inhabited by people who were called by Homer as the *Achaean*s, the *Danaian*s, the *Hellenes*. These people were divided into various tribes. They were in the "Iron Age" of civilisation. The archaeologists connect them with the people of Hallstatt culture of Central Europe<sup>53</sup> who are called by them as Celto-Teutonic race. Besides this, they spoke a language which belongs to the Centum section of Indo-European language group. The historical appearance of this people began with the Trojan exploits of the Hellenic heroes immortalized by Homer. Later, these people were known as Greeks in history.

Regarding the origin of these people, opinions vary; the Pan-Germanists see the "Nordic" migration in them, as some of the Greek gods and some of the Homeric heroes had light hair and eyes. Moreover, the centum language spoken by these tribes lend according to them further proof of this contention, on this account the ancient Hellenes or the Greeks are counted as belonging to the Xanthocrous race of mankind.<sup>54</sup>

But Prof. G. Sergi, the renowned craniologist has got a different view in this matter. He says "Since however, the fact of the persistence of cranial types is now assured in Anthropology and since the persistency of the Neanderthal type now rare are disappearing, it is impossible to admit that the Aryan type is palæolithic in the sense understood by Penka.....Thus we are not able to see any sound evidence in the Greek and Latin

51 Dr. M. N. Dhalla — "Zoroastrian Civilization" p 63.

52, 53, 54 William Ridgeway, "The Early Age of Greece" Vol. I, p. 337, 548—682.

peoples to indicate that a northern race dominated the two peninsulas in primitive times, the idea is an illusion of Indo-Germanism.....I hope to show, however, that there was really a centre of dispersion of the Mediterranean stock and that various peoples derived from this stock have possessed the most ancient civilization in the countries, islands and peninsulas they occupied. This stock with its various ethnic names, constitutes a family of peoples which I have long denominated "Mediterranean" on account of this geographical position and anthropological stability...The racial name of the primitive peoples of the Mediterranean may be reduced to four: Iberians, Ligurians, Pelasgians, Libyans.<sup>55</sup> As regards the Xanthocrous characters of some of the Homeric gods and heroes, the same author attributes them to the misunderstanding of the modern European scholars.<sup>56</sup>

Out of this discussion three facts come to our notice. Some opine that the propagators of the Indo-European or Aryan language in Greece were allied to the Celto-Teutonic race of the Central Europe; others like Sergi, opine that "the Hellenic stock which changed Pelasgian into Greece, importing a new language and new civilization was a small nucleus which increased by aggregation with the primitive inhabitants".<sup>57</sup> Again, others like Zampa<sup>58</sup> and Ripley<sup>59</sup> say that the ancient Hellenes were dolichocephalic people. The latter says "The ancient Hellenes were decidedly longheaded, betraying in this respect their affinity to the Mediterranean race, whether from Attica...or from the coast of Asia Minor, it would seem proved that the Greek were of this dolichocephalic type". Again there are others who do not see difference either racial or traditional, between the Hellenes and Melanochroid Pelasgians.<sup>60</sup>

55, 56. G. Sergi, "The Mediterranean Race" pp. 11—37.

57 Sergi, p. 173. 58 Zampa, "Anthropologie illyrienne" in *Revue d' Anthropologie* serie. 3, i pp. 629—749.

59 W. Ripley, "The Races of Europe" p. 407.

60. K. F. Hermann, "Lehrbuch der Griechischen Antiquitatem", Bd. I, p. 40.

W. Ridgeway in his book entitled "Early Age of Greece" Vol. I opines that the Celts of Hallstatt culture were a fair-haired tall people. He says "The ancients included under the name of Keltoi or Galatai...all the fair-haired people of Upper Europe. There was therefore no distinction between true celts and Germans...the ancient never spoke of any dark-complexioned person as a Celt, for a great stature and Xanthocrous complexion were to them the characteristics of the Celt or German...it is more than doubtful if the term "Celtic" can be properly applied to Gaelic". (p 370). But we have already seen that the brachycephalic dark variety of people of central Europe called as Alpine has been named "Celt" by the leading anthropologists. And it is claimed that this element brought cremation system along with it from Asia. Hence there cannot be any mistake about the term.

Still another says "The Athenians, like all the tribes of the Grecian motherland, originally believed themselves to be autochthone and they were proud of this aristocratic title...The idea that the Pelasgians were the ancestors of the later Greeks is to be found already in Hesiod...the primitive Pelasgian people coming from the East have then become Greeks as said by Euripedes in relation to Argos (in Archelaos in Strabo V. 221). The same idea that the Pelasgians were the original population of Greece is hinted at by Homer also, when he calls the god that ruled in Dodona as the *Pelasgian* Zeus.<sup>61</sup> The same writer says that the aboriginal population of the Grecian peninsula was so completely merged in the immigrants that no remnant of theirs remained in the historical period.<sup>62</sup> Further, Ernest Curtius says "No tradition is to be found with the Hellenes that they have immigrated in their land.....In the tradition of the Hellenes there is no remembrance of a distant

previous home; they knew nothing of strange peoples whom they have found in their country and then either driven them out or subjugated. Also the wandering tribes of the Hellenes could not think themselves to be outside of Hellas; they felt themselves to have grown with their country in all their lineage, and the idea of their autochthony is to be found in the various traditions that are built up. Therefore, they consider themselves as the first occupants of the country; everywhere they believed that others who were there before them have cleared the woods, dried the marshes and levelled the stones for them. That these peoples were their predecessors were felt by them from their faith and custom".<sup>63</sup>

Further it is to be added here that before Thukydides, Herodotus said<sup>64</sup> that the Athenians were Pelasgians and the Lacedaemonians Dorians. Again, a modern historian Clinton<sup>65</sup> opined that the ancient inhabitants of Greece were of the same race as the Hellenes themselves and the Arcadians and the Ionians were Pelasgic...In Thessaly both the governing and the subject classes were Pelasgic...The Achæans of Peloponessus were claimed by both races Further, of the twelve nations which composed the Amphictyonic League, nine were of "Pelasgic Race" !

Thus so far about the opinions of the historians. But the final test of the racial identity being Physical Anthropology, we must find out what the craniologists say on this matter.

Regarding the craniometric examinations of the Grecian skulls, Rudolf Virchow has reported that various forms of skulls have been discovered in Greece. Their characteristics betray that they are not homogeneous. Regarding their characteristics, he said : "it can be said for the present that all the skulls

63 Curtius—"Griechische Geschichte". p. 27.

64 Herodotus I, p. 56—58.

65 H. F. Clinton, "Fasti Hellenici" Vol. I, pp. 92-93.

of the oldest period from Nauplia (table I) are brachycephals or near to brachycephaly. Of the 26 skulls from Sparta (table II) and from Mykenae (table III), only six are brachycephals and three are near to brachycephaly, seven are true dolichocephals and ten are mesocephals. Still striking is the contradiction that is to be found in the nasal indices. Table I. shows one skull to be platyrrhine and two to be mesorrhines; on the other hand, Table II and III show ten to be leptorrhines, five mesorrhines and only one platyrrhine. Besides these, he has examined other skulls which were orthodolichocephal and hypsimesocephals.<sup>66</sup>

On the whole, it can be said that the Greek skulls show dolichoid (dolichocephal and mesocephal) and brachycephal characteristics. According to the canons of Craniometry they are of different varieties. Again Wirchow, elsewhere, had said "Herr Curtius has represented the view with good ground that the Pelasgians and Hellenes were two different branches of the same basic race, and the last remains from the graves seem to prove this view".<sup>67</sup> Again, regarding this matter, Ripley says, "Examination of the relationship to their contemporaries we leave to the philologists. Positively no anthropological data on the matter exist. It is useless to attempt any enquiry as to their more definite ethnic origin within the tribal divisions of the country. (Stephanos asserts the Pelasgi to have been brachycephalic, while Zampa as positively affirms the contrary view). The testimony of these ancient Greek Crania is perfectly harmonious. All authorities agree that the ancient Hellenes were decidedly longheaded, betraying in this respect their affinity to the Mediterranean race, whether from Attica or from the coast of

66 L. R. Wirchow "Ueber griechische Schaedel aus alter und neuer Zeit und ueber einen Schaedel von Menidi der fuer den des Sopbokles gehalten ist" in Sitzungsberichten der Koenigl Preuss Akad der Wissenschaften zu Berlin XXXIV. 1893, pp. 1-19.

67 R. Wirchow—"Die urbevoelkerung Europes" p. 18.



Asia Minor, it would seem proved that the Greeks were of this dolichocephal type".<sup>68</sup>

Thus we are confronted with contradictory evidences given by the different anthropologists. But what we can glean from the different accounts concerning Greece is, that the States that arose in the Classical Period there, were not everywhere formed by a conquering people forcing their rule on the conquered aborigines. In several places, the ancient race reappeared with a new name, in some places both the rulers and the ruled belonged to the same race. But whatever be the original compositions, a synthesis was formed, and a belief arose amongst the people that their ancestors who had given their names to the people, were descended from god.<sup>69</sup> In this way all the tribes claimed a common descent from god.<sup>70</sup> Further, they claimed common descent from the Patriarch Hellen; hence they were Hellenes. Grote says "In treating of the historical Greeks we have to accept it as a datum, it represents the sentiment under the influence of which they moved and acted."<sup>71</sup> But the noble families never claimed this common ancestry, independent of the common geneologies they rather traced their descent from the heroes sung in Poetry. Thus the nobles kept themselves isolated from the people in their geneologies<sup>72</sup> as in their life.<sup>73</sup>

In making an enquiry into the social polity of these states of Classical Greece, we find that Society was divided into several well-defined groups. But with the evolution of the Greek

68 W. Z. Ripley—"The Races of Europe" p. 407.

69 E. Meyer "Zur Recht Vertigung des Zweites Bandes meiner G. d." A. pp. 519-520. Compare the tradition of the Hindu patriarch Manu from whom men are called *Manava* with this tradition.

70 Compare the Purush Sukta of the Vedas with this belief.

71 Grote : History of Greece vol II p. 23.

72 Compare the ancestry and the position of the Kshatriya class of ancient India with this fact.

73 Ed. Meyer : "Forschungen fur Altensgeschichte" Bd. II, pp. 519—520.

history the social-polity changed itself, hence different epochs had different characters of social divisions. In the period of legendary Greece, we find chiefs and a general mass of freemen which included several professional classes. Then we also hear of the slaves, also a class of poor freemen called Thetes.<sup>74</sup>

In this tribal state of the Homeric period, the king or the chief was a patriarchal monarch and he had three functions to perform; the leader, the priest and the judge.<sup>75</sup> Next to the king were the nobility who were called "Basileus" (princes) like their chief.<sup>76</sup> They came from the younger branches of the ruling family<sup>77</sup> and were great landowners. Besides the king and his relations, who formed the upper stratum of the society, the main body of freemen owned small plots of lands cultivating them for themselves.

In the picture of the early Greek States we find a free class and a class of slaves. The free-class which was composed of the citizens of the states, was again divided into, a propertied class which was in minority and the middle class which was composed of the professional men and the farmers. Below them stood the broad mass of the poor class of citizens with little or no property.<sup>78</sup>

This social condition underwent a great change in the Seventh Century B. C. The economic conditions and the contradictions that it contained developed sharp class oppositions which created a permanent split in the society of citizens of the city states. In this period, along with property-qualifications, the advantage of birth and personality began to be counted.<sup>79</sup> The members of the upper class according to their claims, were

74 G. G. Grote. *Ibid*, New Edition Vol. II. pp. 16—38.

75, 76 W. C. "A. Oman, *History of Greece*" pp. 34—35, p. 36.

77 Compare with it the similar institution of the *Rajanyas* of the Indo-Aryan Tribes.

78, 79 G. Busolt, "Griechische Staatskunde" in "Handbuch der Altertumswissenschaft" Bd. IV. Abt. i, pp. 111; 210.

the "best", the "aristocrats", the "capable" etc. Further the aristocrats only could produce a geneological tree which descended upto a god or a hero.<sup>80</sup> Again, a requisite to a noble descent was marriage in one's own rank.<sup>81</sup> In ancient times also, the connubium of the noblemen was permitted only among themselves.<sup>82</sup> Besides that, they had closed organisation of their own and had meals in common.<sup>83</sup>

As a consequence of the rule of the aristocracy the highest state organ was built not only by a minority of the free citizens but also an aristocratic birth was a pre-requisite for an entry to it. As a result the ascent of the governed classes to the ruling class seemed impossible.<sup>84</sup> Again, the aristocratic class built a narrower circle of authorised persons and either a family or several families guided the whole affair of the state.<sup>85</sup>

As regards the order of the states, citizenship was acquired either by birth or by investiture. In the period of democracy descent from a regular marriage of a pair of citizens of the same state was the basis and pre-requisite of acquiring a hereditary citizen's rights. But in the Homeric period regular marriage of the princes and aristocrats of different states was common. Thus more the Greeks developed from their tribal stage and the became more and more exclusive. In this period of economic and social revolution, with the development of commerce and foreign intercourse Democracy put up barriers against mixed marriages with the half-blooded strangers. At the same time though it gave full and equal rights of citizenship to the citizen

80 Compare with it the similar institution of the Rajanyas of the Indo-Aryan tribes.

81 *Fanta* 15.

82 Herodotus V. 92.

83 Compare the similar custom in the Atharva Veda.

84 G. Jellinek, "Allgemeine-Staatslehre," p. 655, also Wachsmuth *Hellenische Alterthumskunde* 2nd Edn, 1846

85 V. Thumser; "Lehrbuch der Griechische Antiquitäten Stadtgeschichte" Edn. pp. 40—42.

yet it considered the regular and pure descent of the candidates as necessary.<sup>86</sup> In the period of oligarchy connubium between the privileged and those having fewer rights seldom took place.<sup>87</sup>

As regards the condition of the non-citizen slaves who were either prisoners of war or acquired by free-booting expeditions, they were the private properties of their masters.<sup>88</sup> And as such they had no rights.<sup>89</sup>

Regarding the basis of the citizenship, history says that for a long period, possession of land was in most of the states a condition for the acquirement of full citizen's rights.<sup>90</sup>

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who had not right of voting even in the time of Solon.<sup>95</sup> Consequently, there were many who were called citizens but were excluded from the magistracy, senate, people's assembly and courts<sup>96</sup> yet they were different from the non-citizens by the private laws and sacred matters.<sup>97</sup> The non-citizens could not possess land, could not carry a law-suit in the court without the mediation of a patron.<sup>98</sup>

Thus, the classes possessing no land and working for their living were outside the pale of citizenship. Here it should be mentioned that serfdom existed in Greece from ancient times.<sup>99</sup>

Now we come to the question of religion.<sup>100</sup> It was by religious-political polity the Grecian people had separated themselves from allied races. In Greek societies the families acted in the name of the gods, and each head of the family was a priest, yet in order to conduct a continual and regular service a priestly class was necessary. And the priests were recruited from certain families of citizens to whom divine service was a speciality.<sup>101</sup> But the priestly duties were connected with the State. They were invested with special honours, and the respect which they commanded made them a power in the state.<sup>102</sup> But as no Church independent of the State developed in Greece, we do not meet with any closed priestly class and independent hierarchy.<sup>103</sup> As a consequence, the priesthood of Greece did not enjoy the same kind of sacredness as was enjoyed by the priesthood of the Oriental countries of classical antiquity. Yet the priests and priestesses enjoyed a great amount of civil and social distinction

95, 97, 98, Schoemann. Op. cit. p. 105.

96 Compare the condition of the *Sudras* in Manu.

99 Ed. Meyer, G. d. A II 305 ff., 315; also W. Vischer *Kleine Schriften* 181 ff. 187.

100 Ernest Curtius, "Griechische Geschichte" pp. 460-461.

101 Compare with it the family gotras (families) of the Vedas.

102 Compare with it the demands of the Brahmins from the Kshatriya kings: vide *Satapatha Brahmana*.

103 Busolt, op. cit. p. 498.

which increased as Greek civilization developed.<sup>104</sup> Even Plato lays it down that a priest must be sound and perfect in body and of pure and genuine civic pedigree.<sup>105</sup>

Lastly, there were rigid rules about purification.<sup>106</sup> Though distinction between clean and unclean food was unknown in the Greek society, yet beforehand abstention from certain food in order to participate in some religious service leading to taboo on certain foodstuffs was in vogue in Greece.<sup>107</sup>

Now we come to professional side of the Greek life. In some states those professions that had nearer connection with religion were hereditary according to the law. This held good also for artistic professions.<sup>108</sup> Later, the Greek professions were organized in guilds.<sup>109</sup> It was characteristic of these guilds to be connected with some religious worships.<sup>110</sup>

This according to the historians being the general trend of social-polity of Ancient Greece, let us look minutely into the politics of some of the States that had specialized constitution of their own. In this matter, Sparta was a typical state. In Sparta, the Heracleidian Spartiatae formed a caste by themselves, though there is nothing on record to show the interdiction of commensality with others. The same can be said of their subject peoples, the Periœci and the Helots.

Sparta was an aristocratic state, where the Spartiatae were the ruling caste enjoying the exclusive privileges for themselves. In their case, the argument has been brought forward that their exclusive formation was due to their being a conquering race. They had the subject peoples, the "Periœci" and the "Helots", under different degrees of subjugation. But, of the subject

104, 105 Hastings' Encyclopaedia of Religion & Ethics Vol. x. p. 30.

106 Compare some of the Hindu customs with the Greek notion of purification.

107 Hasting's Encyclopaedia of Religion & Ethics Vol. x. p. 486.

108 V. Thumser, p. 339.

109 H. Francotta, "L'industrie dans la Grèce ancienne" Vol. II. 1901.

110 G. Busolt, p. 193.

peoples, the Periœki were not of different race. They were the other "Lacedaemonians, not indeed equal to the Spartiatae, but yet bravemen."<sup>111</sup> Regarding the Periœki, Grote says, "the Periœki townships were probably composed either of Dorians entirely or of Dorians incorporated in greater or less proportion with the pre-existing inhabitants. But whatever difference of race there may have been, it was effaced before the historical times. The Spartans and the Periœki constituted one political aggregate.....Both are known as Laconians or Lacedaemonians and Sparta is regarded by Herodotus only as the first and bravest among the many and brave Lacedaemonian cities."<sup>112</sup>

Again, it cannot be said that the Laconian and Messenian Helots were of different racial element or represented different biotypes from the ruling Spartans; history records them to be the conquered subjects of the Spartans.<sup>113</sup> As regards the Helots, Grote says, "A considerable proportion of the Helots were of genuine Dorian race, being the Dorian Messenians west of Mount Taygetus, subsequently conquered and aggregated to this class of dependent cultivators.....The Helots were thus a part of the State, having their domestic and social sympathies developed a certain power of acquiring property, and the consciousness of the Grecian lineage and dialect—points of marked superiority over the foreigners, who formed the slave-population."<sup>114</sup>

As about the former inhabitants, Grote further says, "Of the pre-existing inhabitants of Laconia and Messenia whom we are accustomed to call Achaeans<sup>115</sup> and Pylians so little is known

111 B. S. Hammonds, "The Political Institutions of Ancient Greeks" p. 39.

112 Grote vol II. p. 141.

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As regards the assertion that this class-distinction was due to the preservation of racial difference Grote again says, "Of the assertion of O. Muller—repeated by Schoemann,<sup>116a</sup> 'that the difference of races was strictly preserved and that the Periœki were always considered as Achæans'—I find no proof and I believe it to be erroneous"<sup>117</sup>

Besides Sparta, there were Serfs in Argos and in Sikyon, as well as in Attica. Again, the conquest made the Penestai of Thessaly share the same lot as the Helots.

Now we come to Attica. About Attica, Ramsay says, "We must imagine a primitive state of society, in which there were four chief and fundamental occupations : agriculturists, artisans, priests, and warriors.

Ion having first as Strabo says (VIII, 7 p 383) divided the people of Attica into four tribes (Phylac)<sup>118</sup> thereafter classified them according to four ways of living.<sup>119</sup>

Regarding these social divisions of the Atticans Mahaffy says, "We know that there too, there was a landed aristocracy, but that the poor people were not of a different or conquered race. For the Attic people always boasted that they were autochthonous, that is native of the soil"<sup>120</sup> The Attican traditions did not speak of the forceful destruction of the older population, nor do we hear of a stratum of a people similar to the Periœki or the Helots of Laconia.<sup>121</sup> According to Thumser

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116a Schoemann, *Antiq-Jurisp Graecorum* IV. 1. 5, p. 112.

117 Grote op. cit. p. 291.

118 Herodotus V. 69.

119 Sir W. R. Ramsay, "Asianic Elements in Greek Civilization" p. 255.

120 J. P. Mahaffy, "A Survey of Greek Civilization" p. 84.

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the traditions and history point out that the Ionians acquiesced in certain equal treatment and built an united state with them. On this account the tradition of the autochthony of the Atticans was possible.<sup>122</sup>

The same author further says that the exceptional equality of the Attican tribes explains the fact that between the Ionians and their predecessors a compromise similar to that of the Ramnes, Titians and the Lucernes of Rome took place.<sup>123</sup>

Thus it is evident that regarding the racial origins of the different layers of the population of the ancient Greece everything is uncertain.<sup>124</sup> Only it can be said that in some places of Greece there had been conquest of one nation over another, and that the conquered peoples did not always form the basis of class-divisions, is to be attested by the examples mentioned above; neither did they always form the nucleus of the serf-population as is testified to by the fact that in many places, viz.: Ephesus, Teos, and perhaps in Samos also, the older population was taken in the state-life though with lesser rights; and they were organized into Phylum and other unions and then joined with the citizen-class.<sup>125</sup> In Argolis and Cretan-Dorian States a large number of "Achaean" population were organized into Phylum and then joined with the Dorians.<sup>126</sup> Thus it is clear that in many states of Greece the ruling people have assimilated the autochthonous population. Hence, they were not always the source of forming a lower order in the society.

Thus in Greece, we find in the different epochs of Greek history, different forms of social polities were evolved and which in their essence were principally similar to the Indian conditions.

122 V. Thumser, p. 293.

123 *Ibid.* p. 293.

124 Ripley, "Races of Europe" p. 407.

125, 126 G. Busolt, "Griechische Staatskunde," p. 138.

## Rome

Now we come to Rome, another classical land of social divisions. Throughout her long history Rome had never been without different social classes though in various epochs, changes took place in their situation.

In the First Epoch of the History of Rome (753-510 B.C.) we find that there were two classes ;<sup>127</sup> the Patricians and the Clients, the first again divided into three tribes (tribus). Both of these classes were called *Cic de res*, which comprised the whole people though the Patricians were the only "citizens" (populus).<sup>128</sup> In the later period (640 to 616 B.C.) Ancus Marcius conquered Latium and transplanted the inhabitants of the overthrown cities to Rome.<sup>129</sup> These transplanted Latins were formed into a new class with personal freedom but without the right of citizenship. These were called the Plebs.<sup>130</sup> The same king introduced amongst the tribes the same number of plebeians as the Patricians.<sup>131</sup> For this reason it cannot be said hereafter that the superior social position of the Patricians were due to their being the conquering race. Again, the three original Patrician tribes were not all of the same race, the Luceres were of Etruscan origin.<sup>132</sup> Thus the Plebs were of Latin race, while a section of the Patricians had non-Latin blood in them.

Historians observe that the central part of the Italian peninsula was populated by the people called as "Italian." This race was again divided into "Latin" on the one side and the "Umbrians" with their cognates the Mersians and the Samnites

127 Carl Peter, "Zeittafeln der Roemischen Geschichte" p. 8.

128 Do p. 8 ; also, Mommsen, "Roemische Geschichte" p. 62 and A. Schwegler op. cit. p. 609.

129 Livy L. 33.

130 Carl Peter, op. cit. p. 10, also A. Schwegler. "Roemische Geschichte" pp629-630.

131, 132 Carl Peter, op. cit. 11 ; 11.

on the other. The Latins dwelt in the part known as Latium.<sup>133</sup> Hence it is clear that many of the ruling class and the Plebs were of the same racial element, though by the conquest of Ancus there had been a domination of one nation over the other.

Now, in order to enquire further in the racial elements that entered in the make up of the Roman Nation, let us explore the regions of Anthropology.

The archaeological finds of Italy point out the appearance of a new race, which according to Peet, "entered Italy at the end of the palaeolithic period."<sup>134</sup> There were according to him "Liguri" or 'Ibero-Liguri.' "They are dolichocephalic and practise inhumation." Again, "at the beginning of the Bronze Age, or even earlier, appear in North Italy, a number of lake-dwellings, the inhabitants of which probably cremated their dead...At Bismantova, and Fontanella Mantovana, we find cemeteries which seem to mark a transition from the Bronze Age to that of Iron. The burial rite is cremation.....At a period slightly later than this, i.e. at the beginning of the Iron Age, we find in North and Central Italy six distinct groups of cemeteries.....In all of these except Novilara we find that the earliest Iron Age Graves contain cremated remains."<sup>135</sup> This author finally observes "The internal evidence for the identification for the lake-dwelling and *terra mera* people with an invading race from the Central Europe is overwhelming.....That they were brachycephalic is a necessary consequence of the identification with the cremating brachycephalic race of the Central Europe, and is based upon no direct internal evidence.....an examination of the Hungarian and Bosnian finds makes it practically certain that the *terra mera* people of Italy came from the Danube Valley."<sup>136</sup> Again Helbig says that the oldest

133 Mommsen. op. cit. pp. 11-12.

134, 135. 136 T. Eric Peet. "The Stone and Bronze Ages in Italy and Sicily" pp. 36-493 ; 510.

population of Italy about which we know of is Ligurian, and many traces found in Central Italy show that Ligurian race lived in the Po valley before the migration of the "Italians." Czoernig is of the same opinion. These, according to the above-mentioned writers<sup>137</sup> either extirpated or assimilated the older population. The new masters of the Po valley now were the Italians or the Umbrians. But the movement of the new people broke up their development and the mysterious people known as the Etruscans attacked the Umbrians. Since then, a mixed population of the Etruscan and Umbrian elements lived in the Po valley.

Further Sergi, a physical anthropologist, says "We have found that Italy was inhabited upto the Neolithic epoch by a homogeneous population of the Mediterranean stock ; who were afterwards called the Ligurians and the Pelasgians ; that towards the end of the Neolithic period...there is the first indication of a new race with physical characters (brachycephaly) unlike those of the Mediterranean peoples, and that finally there was a large invasion of this new race from the North, leading to the occupation of a considerable part of the Po valley and consisting a vast Umbrian domain, after passing the Apennines from the Adriatic to the Tyrrhine Sea, as far as Latium, and from there to the Tiber towards its mouth and lower part. We have also seen that these invaders carried with them a new language and new customs among others that of burning the dead."<sup>138</sup> Again, he says, "The evidence furnished by burial places—that is to say, the skeletons in the ancient tombs of the early Mediterranean inhabitants of Italy and those of the Aryan invaders have shown clearly the mingling of the two stocks ; where in spots where Aryans have not penetrated there are

137 Wolfgang Helbig : "Die Italiker in der. Po. ebene," pp. 30-503 : Carl von Czoernig—"Die Alten Voelker oberitaliens", pp. 4-5.

138 G. Sergi : *The Mediterranean Race*, pp. 177, 178, 262-265.

only traces of a single stock, without blending with foreign races."<sup>139</sup>

Here the name "Aryan" has been used by the writer. By "Aryan" he means Neolithic brachycephals—the Eurasiatic species of mankind.<sup>140</sup> Of this species he says, "I am convinced this Eurasiatic species is of Asiatic origin, since Ujfalvy has found in the Hindukush the same types that are found in Europe."<sup>141</sup> As regards the Etruscans, it is generally supposed that they were of west-Asiatic (Asia Minor) affinities.<sup>142</sup> About their physical characteristics, Ripley says, "The crania from the Etruscan tombs betray a very mixed population."<sup>143</sup> Of these one is broadheaded Alpine type, the other is longheaded Mediterranean. Regarding these the aforesaid author<sup>144</sup> says, "Sergi is right in asserting that the Etruscans were really compounded of two ethnic elements; one from the North bringing the Hallstatt civilization of the Danube valley, the other the Mediterranean by race and by culture."<sup>145</sup> Finally he says, "Italy, from end to end, was once uniform anthropologically in the head form of its people: in the south it is today still true to aboriginal type. As far

139, 140, 141 G. Sergi: *The Mediterranean Race*, pp. 177, 178 262-265.

142 W. Ridgeway. Vol. I. p. 247. Also Mommsen. *"History of Rome"* Vol. I. p. 126.

143, 144 Ripley, "Races of Europe," pp. 269: 463.

145 Regarding this, Ridgeway makes a pertinent remark that in the matter of the broadskulled Etruscan coming from the Alps as mentioned by the aforesaid Anthropologists "they leave out of consideration the historical fact that long before the Etruscan conquest, the Umbrans, who were broadskulled had conquered the dolichocephalic aborigines (Ligurians)." He further says, "The Pelasgians from Thessaly, and the Tyrrhenians from Asia Minor were both dolichocephalic like the Ligurians, being of the same race" pp. 248-249. But in the page 149 he has said "When we presently come to Etruria we shall find that all the evidence, traditional, epigraphical, and linguistic is against the ethnical identity of Pelasgian and Tyrrheni." On the other hand, Montelius says, the Etruscans and Tyrrhenians were of Oriental origin coming from over the sea and they were the same as the Pelasgians. (*"The Tyrrhenians in Greece and Italy"* J. A. I. 1897). But this view is rejected by Ridgeway (p. 149). But what proof is there that the Tyrrhenians were dolichocephalic? According to von Luschan the native element of Asia Minor was brachycephalic.

north as Rome no change can be detected between the modern and the most ancient skulls."<sup>146</sup>

Thus we see that an aboriginal Mediterranean Race was the earliest occupant of the Italian soil, later on, the Eurasiatic-brachycephals from the eastern part of Europe overran the northern and central parts of Italy and settled there. The historical people of these parts were the mixture of these two racial elements.

In this matter of ethnic mixtures we do not find the conquering "Nordics" from north Europe contributing to the racial elements of Italy. Certainly the foreign element or elements from the Danubian Valley were not Nordic Teutons. One of the elements of Hallstatt Culture of the Danubian Valley shows Asiatic affinities. As Ripley says, "The Oriental affinities of the Hallstatt Culture have been specially emphasized by the recent archaeological discoveries at Koban in the Caucasian territory of the Ossetes."<sup>147</sup> Further, he says, "The first civilized people of the Hallstatt period seem to have been closely allied, both in physical type and culture with the Greeks and other peoples of the Classic East. Among them perhaps over them, swept the representatives of our broad-headed Alpine type who came from the direction of Asia."<sup>148</sup> Thus, the people and the civilization of Italy are compounds of two cultural layers: the Mediterranean and the Hallstatt.

In connection with our enquiry we have at least found out that the basic racial element of the Latins was Mediterranean. This element as well as an Etruscan one,<sup>149</sup> went to build up the population of Rome. The Patrician citizens and the transplanted Latins termed as "Plebs" were of the same racial

146 Ripley, *ibid* p. 463.

147 Ripley, *Ibid* pp. 495.

148 Ripley pp. 502.

149 Mommsen "History of Rome" Vol. I. p. 74.



stock. But amongst the patricians there was an Etruscan element represented by the tribe of the Luceres.<sup>150</sup> Still, it should be admitted that the population of Rome was predominantly Mediterranean in character; the foreign element that is to be traced in them is through the Etruscan element of Alpine variety claiming either Hallstatt affinity or from Asia Minor. Hence the question of a Nordic or blond North-European type entering in the composition of the ruling Patrician class cannot be entertained.

But the question of North-European or Alpine Type brings the question of the Celtic element to be found in Hallstatt culture. On this account, we must ascertain, what do we mean by "Celt"? Regarding this Ripley says, "The term 'Celt' if used at all, belongs to the brachycephalic darkish population of the Alpine highlands.<sup>151</sup> This broad-skulled and dark variety of Celt as found in the middle and south-western France is called as "Alpine".<sup>152</sup> This Alpine race has some connection with the Hallstatt Culture." Ripley says, "Thus the Celtic language and the Hallstatt Culture may spread over the Alpine race or vice Versa."<sup>153</sup>

Thus, we do not find the blond Nordic Teuton of North Europe or the tall blond Gaul or Kymri of northern France and Belgium entering as one of the racial elements of Hallstatt Culture.<sup>154</sup> It is not the Xanthocrous Celto-Teutonic Race as

150 Cic de Rep. 11. 8; also V. Duruy, "History of Rome" vol. I. p. 74. But Mommsen says they were Latins vide vol. I. p. 46.

151 This definition has been accepted by all the Anthropologists of the French School except Lapouge: by the German Wirchow, Kollmann, Ranke; by Beddoe of the English School, and by the most competent anthropologists of the Italian School. Vide Ripley, page 126.

152, 153 Ripley op. cit. p. 121; 128.

154 W. Ridgeway in his work, "Early History of Greece" Vol. I opines that the Celts of Hallstatt Culture were fair-haired tall peoples, and that fresh bodies of tall fair-haired peoples from the shores of the Northern Ocean continually through the ages had kept pressing down into the Southern Peninsula." He also thinks, that the

expressed by Ridgeway<sup>155</sup> but the dark variety of the Alpine race that entered in the composition of the various racial elements of Hallstatt Culture. Hence in the composition of the Roman people, the juxtaposition of diverse racial elements do not come into consideration. On this account the formation of the class differences in Rome is to be regarded as not due to the domination of the people of one racial element over another. Rather, we have seen that in general, the Patricians and the Plebeians both belonged to the common Mediterranean racial type, though the former is suspected of having a slight trace of the Etruscan blood in them. But we have already seen that the Etruscan stock is again suspected of being mixed origin, the Mediterranean element having entered into one of its component parts.

Finally, on these accounts, it cannot be said that the social differences of the Roman State arose out of the conquest of one race over the other.

Now let us enquire into the inner working of the Roman social-polity. In Rome during the Epoch of Kingdom, we find that the king was not only the first officer of the State but also

Achaeans of Homer were of these bodies of Celts, who had made their way down into Greece." Even, he thinks, that "the cremation was invented in Upper Europe and thence passed into Greece is once more substantiated by the probability that the same practice made its way into India from Central Europe likewise." But the historian Ed. Meyer (*Ges. d. Altertums*, p. 893) thinks that "the old hypothesis that the Indo-Europeans came from the Highland of Central Asia gains further weight by the new discovery of Tocharian language in Tarim region in Chinese Turkestan. At present we must count the possibility of seeking the home-land of the Satem as well as of the Centum groups of Indo-European languages in the further East, that they also come from the Central Asiatic highland. The argument of the Aryan Custom of disposing off the dead body agreeing with the Mongolian one fits with this supposition." The book of Ridgeway is replete with what Prof. Sergi calls "Germanism" and nowadays known as "Nordicism". We have already seen that by "Celt" is understood the brachycephalic dark Alpine type.

155 W. Ridgeway : *The Early History of Greece*, Vol. O, pp. 632-684.

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the first priest.<sup>156</sup> Besides the king, we find the three tribes of the people (the patricians), these again were divided into thirty Curies, and the Curies into three hundred Gens.<sup>157</sup> Each Curies had its own dining room in which on certain days the members assembled for a common meal. Further, it had its own common sacra.<sup>158</sup> From the beginning of the Roman History, we find the Roman Society organized in hierarchic form and with strict rules to regulate everything.<sup>159</sup>

The family was the unit of the Roman Society. The father of the house was the *pater familias*. After the death of the father the son acquired the same rights<sup>160</sup> over the members of the family and the property as was exercised by the dead father.<sup>161</sup> Along with it were the clients<sup>162</sup> who were attached to the family. This class was formed partly by the runaway peoples who sought a protector, partly by the freed slaves of their masters. The client had share in the *sacra gentilia*. This Roman home was the basis of the Roman State.

In this Roman State, marriage within the class was recognized as real Roman marriage; the children of this marriage received the rights of citizenship. He, who was born in non-real or outside the marriage relationship was shut out from the State Organisation. As the Romans of the early time were composed of free and equal farmers and had no aristocracy "by the Grace of God," therefore, one of them became their leader (Rex) and the commander of the Roman Community. The King was the first officer and the first priest of the State. During the time of the kingship the appointment of the priests was made without exception by the king. Thus, we see that apart from

156 T. Mommsen : "Römische Staatsrecht," vol. I. 3rd. Edn. Bd. II, p. 13.

157, 158, 159 A. Schwegler, p. 609 : 610-611.

160 This form of *pater familias* was not known in India.

161 Mommsen : Römische Geschichte, p. 11.

162 Were the Clients similar to the "STI" and "UPASTI" of the Veda ?

his magisterial functions the king was also a leader of the people as well as a priest. The functions of governing, justice and priesthood were combined in the same person.<sup>163</sup>

As regards Priesthood, a citizen could only become a priest and special qualifications were necessary for individual priestly posts.

Now let us enquire into the condition of the Plebs. They were a free people; and in the matter of private laws were not dependent on others; they did not need a representative in the courts and had share in the general law and were allowed to have property. But originally they did not possess any right connected with the Roman *civitas*. In the beginning they were a mass not joined with the citizen-class and their curia; they had no right to vote (*Jus Suffragii*) in the people's assembly (*comitia curiata*), no share in the government and the offices of the State (*Jus honorum*), no claim in the property of the State, *no connubium* with the old citizens, no entrance to the worship and the priestlyships of the Roman State religion. They had only duties to perform,<sup>164</sup> they had to serve the king and to pay the tributes but no rights of citizenship.<sup>165</sup> Originally they were farmers and husbandmen.

In contrast, the old citizens, *i.e.*, the Patricians built not only a closed commonwealth but also a closed religious community. Hence, it was not only a State but also a Church. As such, they stood not only as a privileged class before the Plebs but also as their Clergy.<sup>166</sup> As the spirit of exclusion ruled over the old Roman religion, the Plebs on this account were excluded from the Roman State Religion, its worships and

163 Compare also the functions of Greek "Basileus" and Vedic Rajan in these matters.

164 Compare the fate of Sudras in the Brahmanical Law Books known as "Smriti".

165 A. Schwegler, pp. 620-621.

166 Compare the position of "Dwijas" (twice born) with that of the Roman Patricians in these matters.

institutes.<sup>167</sup> Even they could not take part in the public worship<sup>168</sup> of the State gods.<sup>169</sup>

Religion came in good need of the Patricians in their fight against the Plebs. The Patricians generally used to advance religious causes for not introducing connubium between the both classes, and not permitting the Plebs to the consular posts. They used to say, that through mixed marriages, impurity of the Patrician blood would take place,<sup>170</sup> and thereby a confusion of the Auspices will take place.<sup>171</sup> As a defence for the second objection, they used to say that, the Plebs were not authorized to put up the auspices, therefore, the transference of the Consulate to the Plebs would be religious sin<sup>172</sup> (nefas) committed against the Gods.<sup>173</sup>

Thus the original constitution of Rome shows us the difference in status of the social classes. Besides these, there was the opposition between the propertied persons and the poor. He who possessed the political rights possessed other privileges in life. For this reason, in course of time a movement was set on foot by the non-citizens for political equality. The rank of the agitators was formed by the Plebs, the Latins, the Italians, and the freemen. Thus the fight between the excluding and the excluded classes developed in the social conflict between the propertied and the property-less classes, and at last the Servinian Reform took place. The success of this oldest Roman opposition brought out about the abolition of Kingship.<sup>174</sup>

In this new arrangement the Plebs became citizens with the duties of serving in the army. But as a result of the unity of the

168 Compare the position of the Depressed Castes of the present-day Hindu Society in this matter with the Plebs of the old Rome.

167, 169 Schwegler, p. 635-636.

172 Compare the attitude of the Dwijas to the Sudras with that of the Roman Patricians.

170, 171, 173 A. Schwegler, p. 643.

174 T. Mommsen Bd. I., p. 244.

Patricians and the Plebeians in the new Roman Citizenship, the old citizens were changed into hereditary aristocrats, but it became more exclusive in taking new families within the ranks. In the period of the Kingship such exclusiveness was unknown to the Roman Aristocracy. But in the new period it became the sign of the Yunkerdom.<sup>175</sup> The exclusion of the Plebs from all State Offices and priestly posts though they were admitted as Army Officers and as Senators or Aldermen, and the obstinacy with which the old law of forbidding any connubium between the old citizens and the plebs was held, stamped the Patricians as an exclusive and privileged class.<sup>176</sup>

That the differences of the rights of the Roman social classes had economic bases were seen in the old constitution,<sup>177</sup> as originally the "freeborn" men (*in gennu*) could become a Patrician, *i.e.*, a citizen, and the propertied people played a long role in the Centuriata. If, at the beginning the citizens were divided into tribes, Curiata and Gentes; later on, the *populus* was divided into property and place of residence. Thus the economic background of citizenship is clear.<sup>178</sup> The possessing class was satisfied with the old constitution, they used to make their claims to rule effectually through it. In the Assemblies of the Centurists, for a long time the first possessing class remained important, and the Senate was more or less a creation of the elections of the Centurists and an instrument of the party of the same class. From this Class, next to the aristocracy of officer, a hereditary aristocracy began to grow. But inspite of the new Reforms of Appius Claudius which included the Proletariate as citizens, capable to vote, and inspite of the business relations between

175 T. Mommsen, Bd. I, p. 263.

176 Leo Bloch: "Soziale Kampf in alten Rom" pp. 69-76.

177 A. M. I. Greenidge: "Roman Public Life," p. 5.

178 A. Schwegler: pp. 615-616.



the higher and the lower classes, the social differences remained.<sup>179</sup>

It is out of place here to follow the whole course of the social struggle for the equality of the classes of Rome. We have enquired into their origins and their conditions and have found that racial differences were not the causes of the social hierarchy of Rome. Bloch says that the Patricians like almost every aristocracy originated out of aristocracy of Office and not from a *victorious race*. The class designations betrayed it, the privileged class called itself "The Patricians" that is the Senatorial families or councillors, while the non-privileged class was known as the Plebeians, *i.e.*, the Masses. Further, the families were not limited to this or that class, *viz.*, there were Patricians as well as Plebeian, Valerians and Cornelians. The difference of the classes rested on economic circumstances, and these were for the most part dependent on the political position of the citizen, *i.e.*, from his position as an officer or a Senator.<sup>180</sup> Thus, it is seen as described above, the economic conditions were the basis of class differences.

That the Patrician Class was not built by a conquering race is further attested by the fact as Greenidge says, "the origin of the Patriarchate may probably be explained as the result partly of earlier settlement, partly of superior military powers. The warriors within the pale receive the new settlers, but only on certain conditions, these conditions are perpetuated and become a permanent badge of inferiority." Further he says, "The happiest guess of the many made by the Roman antiquarians as to the origin of the Patricians was that they were originally 'freeborn' men (*in genui*), the men who could point to fathers (*patre*) and in their turn became

179 Leo Bloch : *Ibid.* pp. 76 ; 21.

180 Leo Bloch : *Ibid.* p. 21.

thorough-going heads of families,<sup>181</sup>—the men in short who, at a time when the family with its juristic head, and not the mere individual, was the true unit of life were the only full citizens of Rome."<sup>182</sup>

Again, if it be said that the warriors of the early settlement were of a separate racial stock than the later settlers, the fact stares in our face that the early Patricians were not homogeneous in their composition as the above mentioned author says, "Although the clan itself was inexpansive, the number of the clans<sup>183</sup> even in the old Patrician Community, was not. It was possible for new *Gentes* to be added to the Community, and even for old *Gentes* to quit it ... This possibility of recruiting the Patrician Order—whether by creation or reception of *gentes* ceased during the Republic."<sup>184</sup> All that can be said in this matter is what Mommsen has said that a mixture of different nationalities certainly did take place.<sup>185</sup>

Thus so far about the origin of the social classes. Now let us enquire further about the priests. It has been said before that during the Kingship the ruler was both a king and Priest, but with the establishment of the Republic the functions were separated though the power of the priest was under the control of the Senate and the Magistrate. Originally the old priesthood was confined to the Patricians, later Roman Citizenship of free-birth became the pre-requisite to the post of priesthood. Still some of the priests, *i.e.*, the *Flamines Maiores* were always Patricians. This was also true in early times in case of the *Flamines Minores*.<sup>186</sup>

181 Cincius of Festum, p. 241.

182, 183 A. H. I. Greenidge, p. 5 ; 14.

184 Compare similar circumstance of the Hellenic and that of the Hindu societies in the period of stereotyped society.

185 Mommsen : History of Rome, Vol. I. p. 46.

186 Compare the origin of the Vedic Brahmins.

Besides the functions of Worship, some of the priests had to observe lots of tabus in their life. The *Flamen Dialis* had many prerogatives but was subject to galling restrictions and a long list of tabus with which in Roman religious consciousness an idea of uncleanness was associated.<sup>187</sup> Moreover he was subject to further series of tabus, noticeable amongst it was, that a slave could not touch him.<sup>188</sup> Like the abovementioned, order, the *Flamen Martiales* and the *Flamen Quirinalis* came from the Patrician Class. Again the members of the *Sodales Titii* belonged to the Senatorial Order of Imperial House.<sup>189</sup>

Further, traces of Totemism have been found out in the life of the people of Italy as Warde Fowler says, "About Totemism all I have to say is this ... Dr. Jevons following in the steps of Robertson Smith found plenty of totemistic survivals both in Greece and Italy in writing his valuable introduction to the History of Religion ... at one time the ancestors of the Roman people lived under the unwritten code of taboo."<sup>190</sup> Again, *Sacra Privata* and *Sacra Publica* were survivals of Roman notions of purification.

Finally, we see that in the Roman State the original social division had no racial basis, rather it had an economic foundation ; and the Romans developed institutions with similar basic principles as other peoples of Classical Antiquity.

### The Celts.

Now we come to enquire about the social condition of the westernmost people of ancient Europe—the people known as Celts. It is already said that the eminent anthropologists agree in calling the brachycephalic, darkish population of the

187 Hasting's Encyclopedia, Vol. X, p. 329.

188 Compare the touch of a Sudra to a Brahman's body.

189 Hasting's Encyclopedia, Vol X p. 334.

190 W. Warde Fowler: "The Religious Experiences of the Roman People,"

Alpine Highlands as "Celts."<sup>191</sup> The language spoken by these people belong to the centum group of Indo-European Family of languages. Very little is known of this people as their historic evolution was cut short by the conquests that the other races made over them. But from what has been gathered the following can be gleaned.

The Celts were in the stage of clan system when they were met by Julius Cæsar.<sup>192</sup> Again their society was divided into nobles (nobiles) and the masses (plebs). The former held all power, while the masses or the common people were treated like slaves.<sup>193</sup> Further there were other two classes who sprang from the former two groups : the Equites and the Druids. The Equites were the military class, and each one of them had a number of clients attached to him. The Druids were the priests,<sup>194</sup> besides these the Celts had another group of priests connected with certain cults. Regarding the origin of the Druids, the opinion is still divided as to whether they formed a pre-Celtic or a Celtic priesthood which was only found in Gaul and Britain.<sup>195</sup> "Classical evidence tends to show that the Druids were great inclusive priesthood, with priestly, prophetic, magical, medical, legal and poetical functions. Elsewhere we hear of different classes—Druids (philosophers and theologicians), diviners, and bards. In Ireland we trace the same three classes.<sup>196</sup> There is therefore a little ground for the theory that the Druids were a pre-Celtic priesthood imposed upon or adopted by the Celtic conquerors."<sup>197</sup> The priestly function was not

191 W. Ripley : *Races of Europe*, p. 126.

192 T. Mommsen : "History of Rome."

193 D'Arbois de Jubainville : "Premiers Habitants de l'Europe," Vol. III. p. 7.

194 Hasting's *Encyclopædia of Religion*, Vol. V, pp. 82-83 ; W. Ridgeway, Vol. I, pp. 372-373.

195 Hasting's *Encyclopædia*, Vol. V, p. 82.

196 Compare the professions of the ancient Brahmins as given by Fick in his "Soziale Gliederung ..." with those of the Druids.

197 Hasting's *Encyclopædia*, Vol. V, p. 83.

hereditary though there were Druid families. The power exercised by the Druids in religious and political fields was great.

In connection with the origin of the Celtic Social divisions, the theory of racial difference again comes to foreground. We have already heard that according to some the Druids belonged to an aboriginal race, naturally the corollary will be that the Nobles or the Ruling Class must belong to the conquering class. Ridgeway thinks that there can be little doubt that they were invaders from beyond the Rhine<sup>199</sup> and according to him there was no distinction between true Celts and Germans.<sup>200</sup>

If the social division of the Celtic people was due to the difference of race, then we see a strange anomaly that a conquering and ruling people living under the religious and political influence of the priests of the conquered people! Because the political power wielded by the Druid priests was enormous, though their political power was exactly paralleled by that of other priesthoods; <sup>200</sup> this power might have served to keep in check the position of the warrior class.<sup>201</sup> But when a section of the supposed conquered people keep in check the position of the ruling class, then it must be supposed that a complete fusion of the two racial elements has taken place; otherwise how such an understanding can take place? But the hypothesis of racial difference is based on supposition, and there is divided opinion in this matter.<sup>202</sup> On the other hand, it is also said that the "Druids are a native Celtic priesthood."<sup>203</sup>

As regards the other usages of the Celts, their kings were regarded as incarnation of God or His representative.<sup>204</sup> Further there were traces of "Totemism or of conditions out of which totemism was elsewhere developed. The data warranting this hypothesis were tabooed animals, animal sacraments, animal

198 199 W. Ridgeway : Vol. I. pp. 373, 370.

200 Hasting's Encyclopedia, op. cit., p. 86.

descent, exogamy."<sup>205</sup> Thus in our knowledge of the Celts we find traces of true animal cults, tabus and their concomitant rules. But we do not find any law restricting commensality and connubium.

Finally, we see that the Celtic people had social divisions in their society, and that the priesthood was organized and held enormous power.

## Europe of the Middle Ages

### A. Germany

Coming to the History of Europe during the Middle Ages, we find the stratification<sup>206</sup> of the old German society.<sup>207</sup> Accordingly law also made a distinction between those who enjoyed rights and those who did not, *i.e.*, free and not-free. Also there was a class named "Lites" or "Aldies" (a kind of serfs) who were not free yet were entitled to enjoy rights. These servile classes could not have been men of different race from that of their masters, though they might have been of different tribe. The historian Stubb says,<sup>208</sup> "There is no reason to suppose that the depressed population were other than German in origin, though not connected by any tribal tie with their masters. Even the sons of the former freemen may have supposed to have taken service as cultivators under the richer men on the public lands."

203 *Ibid.*, op. cit. p. 82

201, 202, 204, 205 Hastings' Encyclopædia of Religion, Vol. V, pp. 86; 29; 294-297.

206 Bluntschli (*Allgemeine Staatslehre*, pp. 129-130) speaking about the origin of classes in Europe says, "The oldest form of the classes is very similar to the castes. In the first period the classes were regularly hereditary and the peculiarities ascribed to them point to an internal relationship with the Indian caste-system. Even the mythological representation of the Divine origin of the classes are absolutely similar."

207 H. Brunner: "Deutsche Rechtsgeschichte." Bd. I. p. 95.

208 Stubbs: "Constitutional History of England." Vol. I. p. 24.

The position of the serfs was hereditary and it was protected by law. Regarding this matter Cooley says, "A servile caste strictly hereditary existed even among the primitive German tribes."<sup>209</sup> Originally they did not enjoy the right to inherit property as sanctioned by law.<sup>210</sup> After the period of the invasion of the Northerners in the South (Voelkerwanderung), we find that with most of the Germanic tribes, the aristocracy was hereditary and was differentiated from the "Free" by a high amount of wer-geld.<sup>211</sup> The historians say that in the time of Roman historian Tacitus the aristocratic class in the proper sense could not be traced, but after the migrations of the Northerners the formation of an exclusive aristocracy was complete with the most of the German tribes, as shown by the high amount of wer-geld.

Then coming to the Frankish period of European History, we find 'wer-geld' is the measure of social difference. It clearly brings out the legal worth of the person. The upper classes had higher amount of wer-geld. The class-system was different with different tribes. The people amongst the Franks was divided into free, half-free, and slaves. With other tribes, the aristocratic class was added. But coming in the midst of Roman territories, a new social class began to be formed. The German tribes found the Roman provincials in a pitiable social condition. The majority of the nominal free peoples were living in hereditary bondage. In the Imperial days of Rome, cultivation, handicrafts, military service and inferior offices became hereditary. In this order of social stratification fixed by heredity, the higher state-officers and titled landlords stood as a privileged Aristocracy which was known as Honorati. In Gaul, from the time of Roman conquest, the high offices, wealth and possession of land were in the hands of the so-called senatorial families in which senatorship was hereditary. In this exclusive

and petrified caste-like society covered with high sounding titles and pedantic clothing, the German invasion brought air and movement. The Frankish Law ignored the Roman Class-System.<sup>212</sup>

The Franks destroyed the old order and evolved a new classification.

In this new social order, the opposition between the free and not-free was bridged by intermediate classes. Later on, developed hereditary professional class and military profession became hereditary. The free Germans entered Frankish history as a soldier and a cultivator.

A question comes up that whether in the old tribal period of the Germans there was a difference between the 'Free' and the 'aristocracy.' Grimm says,<sup>213</sup> it cannot be clearly answered. But Stubbs says, "There are unmistakeable grades of class and rank, there are distinctions of wealth, distinctions of blood and of status; further there is a distinct array of official personages." Yet he says, "Though the aristocracy and the free had common rights, and in this matter were equal, yet the aristocracy enjoyed more right than the free. Where there were kings and priests, the separation of the free into aristocracy and the ordinary free must have been possible, as the election and the hereditary succession of the kings, the nature of every priestly management brought it in its train. Everywhere the priests were called as the respectable and the eldest of the people. Tacitus also said that the priests "formed a distinct class of men who presided at the sacrifices, took the auspices for the public undertakings."<sup>214</sup>

The king was elected from the aristocratic families, for this reason they were equal in rank with him (at least in the oldest

210, 211, 212 S. Brunner, op. cit., pp. 102 : 104-105, 228-229.

213 I. Grimm : "Deutsche Rechtsattenuermer," Bk. I, pp. 373-388.

214 Stubbs. p. 2. *Ibid*, pp. 21-22.



period) and connected by blood.<sup>215</sup> The aristocracy got higher wer-geld than the free. Then the aristocrats generally were in possession of vast plot of land than the free-peoples, he had more slaves and dependents.<sup>216</sup>

The free were the important group and the power of the people. He who was born of a free-father and free-mother was a freeman.<sup>217</sup> The free could keep real property which was denied to the bondsmen and the slaves. On this account they could take part in law courts and peoples' meetings which were forbidden to the un-free. Finally, an essential difference between the free and the slaves is to be seen in some painful laws, certain punishments and ordeals which could not be applied on the free but on the un-free only.<sup>218</sup>

All slaves were originally acquired by war and conquest. The prisoners were either sacrificed (Pro. Cop. 4,15 Jornand P. M. 86) or sold, or remained with the conquerers as his slaves. In this case his children were born slaves.<sup>219</sup> If one of the couple was a free person and the other one a slave then the case of the children was doubtful. The Swedish Law declared that such a child was always free.<sup>220</sup>

If a free person binds oneself in a legal marriage with a slave that person thereby delivers himself or herself to slavery.<sup>221</sup> No wer-geld, no agreement can stand in his name.<sup>222</sup> The slaves cannot have genuine property of their own. Strictly speaking, they should not have any possession, what they earn belongs

215 The Rajanyas of the Kshatriya Kings of India were analogous to the German tribal aristocracy of this period.

217 The same custom was to be found with the citizens of Greece and Rome enjoying the rights of citizenship and was it not the same in the ancient Hindu society when marriage outside the class was not looked with favour?

216, 218, 219, 220, 221, 222 Grimm: "Deutscherechts altertuermer," Bd. I, pp. 391-413 : 413 : 443 : 449 : 451 : 473.

with them to their masters ; <sup>223</sup> necessarily they will have no right of inheritance. <sup>224</sup>

As regards the women, according to the old law, the right of inheritance was either denied to her or limited. Women could not be taken as sworn person (Eideshelfer) or witness. <sup>225</sup>

Regarding marriage, union between free-person of different stands (princes, aristocrats, and ordinary free) was not forbidden, and in the oldest period such unions took place oftener than in the Middle Ages when the grades became more stamped in their character and law followed class distinctions. In ancient period marriage between the free and slaves were denounced and punished. Slaves could not have real marriage among themselves. <sup>226</sup>

Schroeder says, besides the hereditary classes of the aristocrats, the free and the slave, the West Germans had another class put between the free and the slave, *i.e.*, the class of bondsmen (serf) or half-free. The slaves were the private property of their masters. Slaves arose out of the following conditions : Birth from a slave mother, prisoners taken in war, strangers who came to the country without escort being put to slavery, voluntarily selling oneself to slavery, marriage with a slave person. Again, it was necessary to get permission of the masters for the marriage of the slaves, and it could be at any time dissolved by him.

In this period, the Common German Law did not know anything about the bondsmen. This law remained unknown to the East Germans. As it was found only with the West Germans, its evolution is to be sought in the contact with the Celts and the Romans as a product of Oriental war right !

<sup>223</sup> Is not the same as the injunction of the Dharmasastras regarding the properties of the Sudras and the Dasas ?

<sup>224</sup>, <sup>225</sup>, <sup>226</sup> Grimm : *op. cit.*, p 483 563 ; 607.

Very little was mentioned regarding the legal position of the serfs in ancient time, they were protected by laws. In that period, marriage between the bondsmen and the free as well as between the slaves and the bondsmen were regarded as mesalliance.<sup>227</sup> In this case the children followed the stand of the mother. Cooley says intermarriage of the servile with the "freemen was severely punished." Regarding the legal position of the serfs in this matter Mr. Gummere says, "The Lombard, killed a serf who ventured to marry a free woman ... West Goths and Burgundians scourged and burnt them both, while the Saxons punished an unequal marriage of any sort with death of man and wife."<sup>228</sup>

The free persons formed the great mass of the people. The aristocrats were above them. Their origin is shrouded in mystery, still it is not to be doubted that the Kinship, the princely office and the Priesthood have provided the basis for it. Consequently one was aristocrat by birth. Again, within the aristocracy there were grades also. The stranger was without any legal rights.<sup>229</sup>

Though these aristocrats by birth derived their origin from the Gods (as the Merovingians), yet in the Frankish period they could not keep their existence separate. They were assimilated to the new aristocracy of royal service who not by their birth but by the honour of their service under the king have raised themselves over classes. The bishops, the landlords, the crown-vassals belonged to this class of "Officers-aristocracy" (Beamtenaristocracy).<sup>230</sup>

In the Carolovingian period of the Frankish Empire the ordinary free persons still formed the majority of the people.

227 Cooley : op. cit., pp. 221-222.

228 Gummere : "Germanic Origins," p. 154.

229 R. Schroeder : "Lehrbuch der deutschen Rechtsgeschichte," 6th Ed. pt. I, pp. 50-55.

230 Schroeder : op. cit., p. 231.

The unfree yet belonged to their masters in the matter of private legal sphere and took no part in the life of the state. This unfree class was no longer founded by the overthrow of a people by war, but by the prisoners of war, by the descent from an unfree father, by the marriage of a free person with an unfree person, and under circumstances by slavery through punishment.

Coming to the Mediaeval Age, we find, that in the Frankish period a displacement of the relation of the classes under the influence of the changed military condition made further progress. As a result, after the hereditary stand of free or unfree, the knightly or non-knightly position of life became a deciding criterion for the stand in society. In the Carolovingian Period, the aristocracy of birth as such has been essentially overcome by the officers-aristocracy as mentioned above. This process continued its further development in the Middle Ages in the stand of the princes of the empire.

Next to the princes stood the aristocrats ; the temporal landlords belonged also to this group. In the matter of immunity and as lords of manors (Gerichtherren) they took a ruling position. In this matter they resembled the princes. But, this did not create as yet a complete aristocracy by birth, as noble descent was not enough for it.

Next to the free knightly stand was the stand of the unfree knights built out of the bondsmen or ministerials. The knightly stand in opposition to the cultivator formed an united social class of its own, with its own laws and special ideas of code of honour and duty to its profession (Noblesse Oblige). The end of this development came in the Hohenstaufen period.

The knightly profession wiped out the boundary line between the noblemen and the unfree bondsmen. The last was trailed to freedom and raised to aristocracy ; on the other side a deep cleavage was formed between the free persons who were knights and those who were not knights.

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As regards the serfs there were various kings and who in the beginning of the Middle Ages were together called as the "interest-people" (Zinsleute) broke after 1282 A. D. into different groups of higher and lower stand. Regarding those who were attached to the soil, they did not have the right to emigrate without paying a duty.

The lowest stratum of the population was built by the bondsmen and the slaves, *i.e.*, the house-servants who were not furnished with soil or ground.<sup>231</sup>

Thus, in the Middle Ages, there were a series of legal connections through which one could meet the comrades of his own stand or rank, or with those who were below him, on the other hand, he was excluded by the men of upper rank as a man of unequal birth. No body wanted a man of inferior rank as a judge, witness or as a man before whom oath should be taken.<sup>232</sup>

As regards marriage, the equal rank of birth was demanded of the married couples. For this reason, a man of superior rank without giving up his exalted position could not enter into proper marriage relation with a person of a lower rank. Of course, the difference of ranks did not stand any longer as a barrier to marriage, yet the full effect of marriage took place in a marriage of equal ranks. If one of the couple was of lower rank, the marriage was *mesalliance*. When the marriage between couples of equal ranks took place, the wife acquired unconditionally the rights of the husband; after the dissolution of marriage she would get back her old rights, but the children would keep the rank of the father. In the case of *mesalliance*, the wife was equal in rank with husband only when she married a man of lower rank, this rank she enjoyed as long as the marriage lasted. But when the husband

was superior in rank to that of the wife, she kept her lower rank, and she would not be raised by her husband !

Regarding the upper classes, the Princes (Fuerst) and aristocrats without the principle of birth of equal ranks formed an united class in the matter of law suits. They became comrades for the first time in this matter since the second half of the thirteenth century ; in the matter of feudal tenure only they could be judged by their equals. As regards the common free peoples, their birth in unequal rank kept them separate from the upper classes, in the matter of marriage equality of rank was still necessary. Thus between the free aristocrats and the bondmen, notwithstanding the common knightly and feudal legal relations no case of birth in equal rank took place. In case of a *mesalliance* the children had to suffer and their stand had to be decided in law-courts.

Besides these, there were persons who had no rights, they had no rank in the society. They were without any rights which they have lost either through crime or through their illegitimate birth or through dishonourable profession.<sup>233</sup>

## B. England

Now we come to England. This country presents an example of the conquest of the race with language, religion and tradition of its own by a race alien in every respect. The Celtic Britons<sup>234</sup> and the Germanic Anglo-Saxons were of different racial elements. But when the German tribes settled in England, the question of racial fusion must have arisen. It is a vexatious question when one tries to find out the influence of Celtic racial strain in the make-up of the present-day English people.

<sup>233</sup> Schroeder, pp. 501-504.

<sup>234</sup> Broca's Celts were brachycephals and of a different biotype from dolichocephal Nordics of the Pangermanists.

Regarding this question, the historian Stubbs says, "The historical civilization is English and not Celtic."<sup>235</sup> Hence we must enquire into the Social history of England to see the social condition which evolved the English nation.

As regards the English Society of the Anglo-Saxon period of her history, Stubbs says, "In one aspect all men are free except the slave pure and simple, who is master's chattel. In another all are unfree except the fully qualified freeman, the owner of land for which he owes no dependence on another." In this matter, Stubbs says, "The former view appears the more simple and true."<sup>236</sup> Slavery was an early institution with the Germanic settlers of Britain.

The earliest English laws mentioned various kinds of slaves : the "theow" or simple slave either of Celto-British origin, purchased or captured or the descendants of the Germanic slaves, the "esne" the slave who hires himself for work, the "wite-theow" the debtor reduced to slavery, the slave who has sold himself, the slave working at his master's house and the slave working on the farm. In this list we see that only a section of the "theow" can be said to be of different race, otherwise all are of the same racial elements as their masters. The slaves were regarded as a part of the stock of their proprietors, they had no *wer-geld*, no credibility, no legal rights but they could purchase their freedom with savings. The status of the slave descended to his children and unless any one of his descendants are manumitted all his posterity are born slaves.<sup>237</sup>

Again, the fully free, whose status be held to include all those who have legal rights are divided into landless or landed class. The landless were compelled to put themselves under the dependence of some lord who will be answerable for them

before the law. Further the landed freemen were divided into various classes. The great factor of distinction was wealth, the landless ceorl was little better off than the slaves with the advantage of choosing his own master.<sup>238</sup>

The king theoretically was elected, "but the rules of hereditary succession was never, except in great emergencies and in the most trying times, set aside. ... The formal election preparatory to the act of coronation and the actual selection when the necessity for a free choice occurred, belonged to the witan."<sup>239</sup> But, "royalty though elective, belongs to one house, one family."<sup>240</sup> A higher wer-geld was set on king's life.

As regards nobility, some say<sup>241</sup> that the only nobility of blood recognized in England before the Norman conquest, was that of the king's kin.<sup>242</sup> But Stubbs says it "may be regarded as deficient in authority."<sup>243</sup> "The laws of Ethelbert prove the existence of a class bearing the name of earl of which no other interpretation can be given. That these *earles* and *aethel* were the descendants of the primitive nobles of the first settlement... may be very reasonably conjectured."<sup>244</sup> In the course of political evolution "the members of the families which claimed blood nobility must have largely increased." Later on, this class was merged into the much more numerous nobility of official and territorial growth.<sup>245</sup>

In the cleavage of the society, the distinction between man and man was sharply kept up by the system of wer-geld which varied according to the rank of the person. In the midst of this difference of tariffs of wer-geld it is interesting to learn that "the Briton or Wealh was worth half as much as the Saxon or

238, 239, 240. Stubbs: *Ibid.*, pp. 68, 83-84, 85, 85, 151, 159.

241 Thorpe's Lappenbery, II. 312, 313.

242, 243 Stubbs: *Ibid.*, pp. 168, 168.

244, 245 Stubbs: *op. cit.*, pp. 168-9, 169, 179, 184-5, 186-6.

Angle.”<sup>246</sup> Regarding this social division Stubbs says, “although English society was divided by sharp lines and broad intervals it was not a system of caste either in the stricter or in the lesser sense. It had much elasticity in practice and the boundaries between the ranks were possible.”<sup>247</sup>

In the general evolution of the Germanic races the following salient points are discernible. “In the primitive German constitution the freeman of the pure blood is the fully qualified political unit ... the land is the property of the race, and the freeman has a right to his share. In the next stage the possession of land has become the badge of freedom ; the freeman is fully free because he possesses land ... the courts are the courts of the landowners ... the full free is the equal of the noble in all political respects. In a further stage the land becomes the sacramental tie of all public relations ; the poor man depends on the rich, not as his chosen patron but as the owner of the land that he cultivates.”<sup>248</sup> Stubbs further says, “the first of these stages was passed when the conquest of Britain was completed. ... The process of change under the second and third stages is the problem of Anglo-Saxon constitutional history.”<sup>249</sup>

In this evolution of the social classes of the Anglo-Saxon period of the history of England, we find that it cannot be said that racial difference have given rise to social cleavage and difference in legal matters. The racial difference that the conquered Briton brought into society by his slavery was not much as seen above. The various kinds of slaves, (except a few of Celtic origin) and unfree men, the freemen and the nobility were of the same racial stock. But the economic question was the cause of social cleavage. The freedom of a man depended on his economic status.

246, 247, 248 Stubbs : op. cit., pp. 168-9, 169, 179, 184-5, 185-6.

249 Stubbs, p. 179.

Then came Christianity in the Seventh century from Italy. The Church gave a foundation of national union of the warring tribes. But according to Stubbs,<sup>250</sup> "the clergy escaped the danger of sinking into an hereditary caste, as was the case largely both in the Irish Churches and on the Continent. Some marked traces of this tendency however are found in England immediately in the age preceding the conquest."<sup>251</sup>

In the course of development, "it is probable that the Bishops had domestic tribunals not differing in kind from the ecclesiastical courts of the later ages and of matured canon law. ... Whilst for the enforcement of these decisions the servants of the Bishop were competent and sufficient."<sup>252</sup> Further during the period of anarchy and Danish invasion the secular power of the clergy increased.<sup>253</sup>

Then came the Norman conquest in the beginning of the Eleventh Century. The conquerors introduced feudal system from the Continent. Thus a polity based on strict social hierarchy was introduced in England. And the lesson we get here that more England emerged from tribal towards feudalism more the social cleavages become incrustated as elsewhere. Later on, when the Barons extorted a charter of liberty for their class, known as the "Magna Carta," this charter bears witness of the class-difference and interest as it was "the first of a long series of attempt to take the royal power from the king and hand it over to a committee of great barons."<sup>254</sup>

Davies says, "Clauses of Magna Carta are often made to support the traditional view by reading into them modern ideas which were quite un contemplated by their original compilers. Thus for instance, the first clause confirms the liberties and privileges to "all freemen of my kingdom and

250. 252, 253 Stubbs, p. 243. 254, 255, 25

251 Davies : Mediaeval England, p. 56.

254 Vide Raine's Preface to the Memorials of Hexham.

their heirs forever." Now who was a freeman? A careful study of contemporary documents however reveals that a 'freeman' was a member of a very small class. . . . He is evidently a man of wealth, substance and power and is almost invariably one of the baronial classes. . . . Magna Carta grants privileges only to members of a narrow oligarchy of barons. It is a piece of class legislation."<sup>255</sup> The Clause 39 says "no freeman shall be taken or imprisoned. . . . except by the legal judgment of his peers or by the land." But "Peer in the Charter means very much what it does today, *viz.*, a baron. Thus this clause did little more than reassert the centuries old claim of the Norman and the French nobility to be tried by their own orders, and not be the king's court." Again the Clause 20 says, "a villein in the same way shall be fined saving his 'waynagium' (*i.e.*, either his agricultural implements or his crops) if he shall fall into our mercy! . . . Our admiration for the generosity of this clause is considerably damped when we discover that instruments of husbandry of a villein were of more value to the lord of the manor than to the villein himself. . . . It is very significant in this connection that the villein is protected only from the king and not from his own manorial lord!"<sup>256</sup> The result of feudal civilization can be read in the works of Davies, who thus sums up: "Thus the history of civilization in Mediaeval England ends in darkness, a collapse of government, religion, morals, arts and cultures, so far as the nation as a whole is concerned!" The Hundred Years War, the War of the Roses, the Black Death<sup>257</sup> new tactics in warfare, new economic conditions destroyed the old order and prepared the way for the new, *i.e.*, modern civilization. England was "one of the last countries in Western Europe

<sup>255, 256</sup> T. Davies: Mediaeval England, pp. 57-59. See also Hegel's "Philosophy of History" regarding the Magna Carta.

to develop the new system of civilization."<sup>258</sup> The new civilization began to emerge from the chaos bringing the national monarchies at the head. A national monarch became the head of the state who began to be supported by a new class—the middle class. And during the fight between national monarch and the feudal barons when the growing middle class was rallying round the king for protection from the rapacity of the turbulent feudal barons, King Henry I in order to weaken the great nobles ennobled many Englishmen and absorbed them into the class of aristocracy. Thus Davies says, "Another method of weakening the great nobles was the formation of a new official nobility of Englishmen and of Normans of lesser rank, who served him as ministers and sheriffs."<sup>259</sup> Thus race-difference did not put a bar to put a section of the conquered Englishmen as a part of the aristocracy.

As a result of the disappearance of the old nobility and the Knighthood due to importance of infantry in war, and of the commercial prosperity, the new class of businessmen called the bourgeoisie or a middle class began to get prominence in the state. Later, through revolution, political and industrial, the old order was completely wiped out and the new society of political democracy otherwise called *bourgeois-democracy* took its rise. This evolution everywhere in Europe abolished slavery and serfdom and gave political and legal equality to all who were taken as citizens. Thus to-day in Europe, everyman in the country who satisfies the legal requirement of citizenship irrespective of his original class connection, is a citizen of the state. This is the achievement of the nineteenth century nationalism in Europe.

257, 258 Davies : op. cit., 308, 308.

259 Davies : op. cit., p. 40.



## CHAPTER III.

### The Origin of the Indo-Aryans

Since the discovery of the affinity of the Sanskrit language with the Indo-European languages of Europe and elsewhere, a great enthusiasm was evoked in the circle of the European philologists to find out the "Aryan" everywhere. As a result they opined that the Aryan was a white man, but they disagreed as to his nearer affinity with the European races inhabiting that continent. Many of the German scholars advanced the theory that the original "Aryans" were dolichocephalic-Leptorrhinian tall blondes of north Europe.<sup>1</sup> Thereby, they held the theory that the Aryans had affinities with the ancient long-skulled narrow-nosed north-European type of men called as "Germans." Later on, the term Nordic began to be applied to this biotype. In this wise, a theory was set up identifying the pre-historic long-skulled blonde of North-Europe with the Aryans who are supposed to have carried the Indo-European (the Germans prefer to call it "Indo-Germanic") language to the east as far as India. In this migration towards the East the language of the dolichocephalic blonde have not only been modified by conquering and assimilating the non-Aryan races on their march to the East, but also the racial type has been modified, so that nordic type is not to be met with in the East, though they accede that the dolichocephalic-Leptorrhinians of India are the bastardised descendants of the nordic wave that reached the Indian north-western frontier.<sup>2</sup>

1 Rudolf Virchow : "Die urbevoelkerung Europas," p. 30.

2 Vide—Von Luschan : "Huxley Memorial Lectures" ; E. Bauer and Eugen Fischer, Lenz : "Human Heredity". W. Ridgeway : "The Early Age of Greece."

Thus the protagonists of Nordicism<sup>3</sup> are satisfied in the enquiry that "Philological, archaeological, and anthropological researches combine to indicate that the primeval home of the Indo-Germanic languages must have been in northern Europe."<sup>4</sup> As a corollary it must be admitted that the carriers of this language-group must have also lived in the same geographical area. But as a protest to this "Germanism"<sup>5</sup> reaction set in and "Celticism" took its rise in France which denied the superiority of blonde German Teutonic type and advanced the theory that the carriers of the neolithic civilization of Europe were the brachycephalic Celts.<sup>6</sup> This theory agreed to a certain extent with the English writer Taylor who denied the dolichocephalic blonde Germans to be the Original Aryans.

As regards the physical characteristics of these brachycephalic Celts we have enquired before hand. These are the "darkish population of the Alpine highlands."<sup>7</sup> These people are also called as the "Alpine" racial type.<sup>8</sup> Further, the Italian anthropologist, Sergi, relying on archaeological and craniometric observations, says that "at the end of the neolithic epoch, the burial places

3 H. Lundborg : "The more important racial elements ... of the present Swedish nation"—The author says "criterion of the pure Nordic race :

(1) genuine long skulls (with a length-breadth index number up to 75) ; (2) tall stature (170 cm. or more) ; (3) fair hair ; (4) light eyes." p. 4.

But in post-war Germany the definition is little modified. It now includes both the long-skulled and broad-skulled persons as both the types are now discovered in Germany and France lying buried in a pit of the Azilian epoch (vide Keith : *The Antiquity of Man*, vol. I., p. 110).

But there are hosts of writers who speak on the contrary. Vide—Von den Veldens, Feist, Karsten, F. Braun, Koepper, etc.

4 Vide—E. Fischer : "Human Heredity," p. 194.

5 Vide—Sergi : "The Mediterranean Race," p. 8. He says "I meant by "Germanism" the theory which attempts to prove that the Germans or the primitive Aryans."

6 Sergi, p. 21.

7. 8 W. Ripley : "The Races of Europe," pp. 126-128.

reveal elements foreign to the European species, the so-called French neolithic brachycephals. ... These invaders were savages, inferior to the neolithic Europeans, introducing the new burial custom of cremation ... transforming the existing languages into their own, which was flexional language. To-day this new anthropological family bears three chief names—Celts, Germans and Slavs. The physical character of the new people ... are those of the neolithic brachycephals.”<sup>9</sup> This type he termed as the Eurasiatic species and not reducible to Eurafrian forms. Further he says : “I am convinced that this Eurasiatic species is of Asiatic origin, since Ujfalvy has found in the Hindukush the name types that are found in Europe.” Also, he says, “I am convinced that this Eurasiatic species has yielded those populations called Aryan and to-day represented by three chief branches, the Celts, the Germans, and the Slavs ... whilst the populations outside these three branches, *i.e.*, Latins, the Hellenes and the Germans of the Reihengraber type are not Aryans, though Aryanized in language.”<sup>10</sup> Thus from the standpoint of philological interest, the “Aryan” question entered the arena of polemics, and for a long age it entered the lists of political controversy.<sup>11</sup> As such the controversy got racial and national colouring of the polemicists. It is outside our domain of enquiry to enter into the lists here ; we are to find out the possible origin of the people who in the Vedas called themselves as “Aryas.” But it seems a great mistake has been made by the European scholars by confounding the word “Aryan” with the peoples who speak Indo-European or Indo-Germanic group of languages. It seems the language has been identified with race. It is clear that the present-day peoples of the world who speak the above-mentioned language group are not homogeneous in their somatic characteristics. Within the language itself there are

9. 10 Sergi. pp. 262—265.

11 Vide—Ripley : “The Aryan Controversy” in his “The Races of Europe.”

two sections : the centum and satem groups. These differences have led each zealous scholar to identify his people with the hypothetic Aryan or Indo-European race which spoke the original Aryan language. But this attempt had led to much national acrimonies and it cannot be said that these polemics are free from partisan bias.

"Arya" was the name of the people who composed and sang the Vedas. Their language has been called as Sanskritic. But the people who spoke the Zend<sup>12</sup> language and wrote the Avesta called themselves as Airya (old Bactrian) and Ariya (old Persian) as well. The philologists agree that in the remote past both these peoples<sup>13</sup> had much to do in common with the peoples of the Vedas and Avesta. Then a time came when the gods of one became the demons of the other.

In spite of these similarities, it has been found out that the watershed of the Hindukush is not only the dividing line in philological matter, but it also makes a division in anthropological matter. If the brachycephalic-leptorrhinian light-complexioned peoples, speaking Iranic language, prevail in the northern side of the Hindukush, the southern slope is inhabited by the dolichocephalic-Leptorrhinian, tall, brown-skinned variety of men. The northern tribes are regarded as similar with the Alpines of Central Europe,<sup>14</sup> while the southern tribes are regarded as similar with the people of the north-Indian plain; hence Deniker has named this type as the "Indo-Afghan" species.<sup>15</sup> It is the southern people of the Indian plain who, speaking a dialect of the Indo-European language group, histori-

12 Dhalla says, "Zend" is not a language; it is the explanations or commentaries (sand) of the Avestan works in Pahlavi language made at the close of the Parthian empire, vide "History of Zoroastrianism," p. 297, 1938.

13 Zimmer : "alt Indisches Leben," p. 214.

14 Vide—Ujfalvy, Lapouge, Joyce, Bogdanaff; F. O. Schwarz : "Turkestan."

15 Vide—Deniker, Ujfalvy, Joyce, Biasutti, etc.

cally known as Sanskrit have called themselves as "Arya." It is to be seen in the Vedas that these people dwelt in the oldest period on the both sides of the Indus and the land adjoining to its eastern side.

The location of the cradle of the Indo-Aryans is determined by the scholars from the hymn known as 'Nadi-Stuti, (Praise of the rivers. *rv.* 10.75). This hymn begins to catalogue the rivers with Ganga (Ganges), then Jamuna is mentioned, then Saraswati.<sup>16</sup> Thus the singer of the hymn begins to count the rivers from east to west. In this hymn other rivers, *viz.*, Kubha (the new reading Kuvaha), Krumu, Gomati and Rasa are mentioned. The first river is recognized as Kophen of the Greeks and now-a-days known as the Kabul river,<sup>17</sup> while Krumu and Gomati are recognized as Kurum and Gomal rivers of to-day, situated in the north-western frontier of India.<sup>18</sup> As regards Rasa some indentify it with the Arazes of Herodotus, now-a-days known as Jaxartes. But others like Zimmer opine that the identity of the Vedic Rasa with Arazes cannot be proved.<sup>19</sup> It is a mythological river. Thus Zimmer thinks the original cradle of the Vedic tribes was in present-day eastern Afghanistan and the Panjab. Of course they were acquainted with the mouth of the river Indus.<sup>20</sup> But Pargiter<sup>21</sup> doubts if the Vedic tribes have entered India from the north-west. He thinks as the rivers in the hymn have been mentioned beginning from the east to west the cradle must be some-where else than in the north-west, and amongst the various objection to the prevalent theory of the migration of the Vedic tribes from the above-mentioned direction, he asks the following question: "The

16 According to Zimmer it was the Indus, but according to Max Muller and others it was in Eastern Panjab. According to Mahidhara it was in Brahmavarta (Eastern Panjab).

17, 18, 19 Zimmer. pp. 14, 14, 16.

20 *Ibid.*, p. 27.

21 F. E. Pargiter: "Ancient Indian Historical Tradition," p. 302.

current theory that the Aryans invaded India through the north-west after separating from the Iranians must face and account for the following facts and considerations; Indian tradition knows nothing whatever of that. The north-west and the Panjab<sup>22</sup> were not regarded as an ancient home or with veneration or special esteem; the mid-Himalayan region was the sacred land." True is that the Indian tradition knows of no ancient home outside India.<sup>23</sup> As about tradition of *Uttara Kuru*<sup>24</sup> a mythological land, lying somewhere in the north of India, many may take it as proof of a former outside or northern home of the Vedic tribes; Zimmer thinks that it may suggest the beautiful valley of Cashmere, as two Vedic-tribes, Kuru and Krivi, were found to be settled under the common name of "Vaikarna" in the oldest Vedic period in the valley of Cashmere.<sup>25</sup> Later, the same Kuru tribe was found settled in the Gangetic plain lying south of the Panjab (present Delhi district). Pargiter,<sup>26</sup> on the other-hand, takes this ideal land to be situated in the north of mid-Himalayan range<sup>27</sup> and he lets the Aryans

22 Eastern Panjab was regarded as sacred land in the earlier days as it was called Brahmabarta, vide. "Institutes of Manu," V. 2.17.

23 The Vedic hymn in which the Rishi prays "for hundred winters" is generally adduced as remembrance of a home in colder region of the north. But a man living in the hot plain of the Panjab can sigh for hundred winters without suggesting a former northern home. The utmost that can be predicted of this hymn is that it reminds the singer of the Cabul valley, which was a part of India in ancient time, as expressly acknowledged by Zimmer.

24 Muir: "Original Sanskrit Texts, 22. 324; Lassen, z. f. d.-k.d.m. 2, 62. Swami Vivekananda criticised this interpretation of the Indologists at the Paris Exhibition held in 1898-99 as misinterpretation of the true sense.

25 Zimmer: "alt Indisches Leben, p. 102.

26 Pargiter, p. 302.

27 The sacredness of the mid-Himalayan range in which Kailas and the holy lake of Manasarover are situated, and the general sanctity attached to the Himalayas should be ascribed to the Siva-cult. Already in the "Satarudriya" Hymns of the Vedas we hear of Rudra as living in Kailas.

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migrate to India from that direction. Thus there have been discussions about the mythological land which has been described in the Epics as an ideal place of happiness. As regards the outside home of the Indo-Aryans it must be said that no tradition has existed amongst the Indians about it, but philology has established the connection between Sanskrit with other languages of the Satem group of the Indo-European family. This lends colour to hypothesis of the overflow of the Indo-European speaking people from the north-west; and no proof of a migration from the Tibetan side has come forth as yet. Neither the hypothesis of Indian autochthony of Indo-European speech can be entertained<sup>28</sup> in consonance with the existing data.

Race and language not being identified, we cannot entertain the idea of "Sanskritic" or "Vedic" race. All that we can say is that the early Vedic tribes called themselves "Aryas" and mentioned their enemies as "Dasyus," "Dasas," and "Asuras."<sup>29</sup> It may be that they had religious differences with the latter. Also they call themselves as Arya-Varnas<sup>30</sup> and mentioned their enemies as Dasa-Varnas<sup>31</sup>. But this does not give us any clue to the anthropological character of the Vedic tribes. If they regarded themselves as light-skinned men, that does not enlighten us regarding their complete somatic characteristics.

We have already seen that different biotypes are to be found amongst the Indo-European speaking peoples of the world. In the present-day world each of the nations or groups of people speaking the same language are not homogeneous in

28 There are Hindu writers who see autochthonous origin of the Aryans in India. Racial chauvinism, formerly known as, Germanism." now-a-days expanded as "Nordicism." is met with in India by Hindu chauvinism.

29 The Indologists, Keith and Macdonell say : "The great difference between the Dasyus and the Aryans was their religion"—Vedic Index, Vol. I, pp. 347-349.

30 Rv, iii, 34.9.

31 Rv. ii. 12, 4; Sankhayana Smṛta Sūtra, viii. 25.6.

31 R. Ruggles Gates : "Heredity in Man," p. 295.

their racial composition, even there is no such thing as a pure race of mankind.<sup>32</sup> Thus it is clear that Aryan or Indo-European is a language group.<sup>33</sup> Hence, it is probable that the people of the Vedas who spoke the same language could not have been racially homogeneous.

It has already been said that some of the German scholars try to prove that the Vedic Aryans had affinities with the Nordics of north-Europe, while the scholars of the other schools try to identify them with the Alpines. Both sides bring all sorts of proofs in favour of their arguments. On the other hand<sup>34</sup> in Afghanistan, which is primarily an Indo-European speaking region, we find not only a conglomeration of races and languages, but essentially two Indo-European speaking groups. Further we have seen that the brachycephals are connected with the Eranic peoples, while the dolichocephals are connected with the "Indo-Afghans" (Deniker's nomenclature). But the tribes of the southern slope of the Hindukush whose languages were called as "Paisacha Prakrit" by the ancient Sanskrit writers are now called by Grierson as belonging to the "Kho" group of Indo-European family of languages ; but Jules Bloch disagrees to it<sup>35</sup> and Morgenstierna takes this group to be Sanskritic. It is said by Grierson that this group stands intermediate between Sanskrit and Avestic languages. But the anthropological investigators incline to class these tribes more with the peoples of the *Indian* plain, hence they call them as Indo-Afghans. Thus, again here language and race do not coincide. This naturally makes us

32 Vide Haddon & Huxley : "We Europeans"

33 W. Koepfers says it is a "Kultur—ethnologische Gemeinschaft," vide—"Anthropos," "Bk. 30 35."

34 Encyclopædia des Islam ; "Osteranische Familie," p. 165.

35 Jules Bloch : "L'information de langue Marathi" ; Morgenstierna—"Reports of Linguistic Missions to Afghanistan and North-Western India," 1926 and 1932, Oslo.

to enquire into the racial elements of the region where the ancient Vedic tribes used to dwell.

From the enquiries of the data of the both sides of the Hindukush, so far collected by the anthropologists and philologists, it is clear that in the north of the Hindukush, tribes speaking the Eranian language, are dominant, while in the south and in the south-east, various dialects of the *Indian* languages, (variations of Prakrit) are present. Some say that these are related to Sanskrit through various grades of evolution<sup>36</sup> while, as said before, Grierson<sup>37</sup> maintains that some of these dialects that are known to the Sanskritists as "Paisacha Prakrit" are to be considered as special language group though, as said before, Bloch and Morgenstierne are against it.

But the anthropologists<sup>38</sup> have named these Pamir tribes, who are similar to the Indians, as "Indo-Afghans." Thus the Dards and those tribes who, according to Grierson, belong to the "Kho" language group, fall within this anthropological nomenclature. And these Dards were the people who were termed as Kshatriyas by Manu,<sup>39</sup> but "who, having not received the sacrament at the proper time, became Vratyas (out-caste)"<sup>40</sup> and "in consequence of the omission of the sacred rites, and of their not consulting the Brahmans, have gradually sunk in this world to the condition of Sudras."<sup>41</sup> Again, according to Zimmer, the "Vratyas" were Aryans who did not submit to Brahmanical polity; such were almost all the tribes who retained

36 G. Leitner: "The Languages and Races of Dardistan," pt. 1.

37 Grierson: "The Pisaca Language of North Western India."

38 Joyce: Jour. Anth. Inst., Vol. XVI, p. 468.

39 Vide—Institutes of Manu." X. 43.

40 "The Laws of Man" Translated by Buehler, ch. II. 39.

41 "Institute of Hindu Law or the Ordinance of Manu," ch. X, 43. 44—Jones' Translation.

their dwelling places in the west of Saraswati<sup>42</sup> (Indus).<sup>43</sup> Thus we see the tribes on the Indian sides of the Hindukush and Pamir regions were regarded as a part of the Indo-Aryan race, and anthropologists of to-day find racial similarity between them and the people of the Panjab; hence all of them have been included in the common nomenclature. Further, we have already heard that East-Kabulistan and the rivers of the upper Indus were the regions where the Indo-Aryans had their place of residence in historical side. The statement agrees with the anthropological reports so far collected.

Now let us inquire into the racial elements that are to be found in these regions in order to make out a probable conjecture of the racial characteristics of the Vedic tribes. If it be possible to throw any light on the somatology of the ancient people of the Vedas, by referring to the somatic characteristics of the modern peoples of the same place, then, we see that Mr. Guha, speaking about the integumentary colours of the people of N.-W. Frontier of India while referring to the rosy-white colour to be found in highest percentage amongst the Tadjik and Badakshi of Badakshan, speaks of "a distinctly dark element present in varying degree" amongst them. He further says: "The percentage of this latter is greater among the Pathans, the Kaffir and the Badakshi; but considerably less in the others." Here, it is clearly demonstrated that the Eranian-speaking tribes are lighter in complexion and the tribes known as Indo-Afgans, *viz.*, the Pathans and Kaffirs, have distinctly a dark element amongst them. But he also speaks of a tall dolichocephalic-leptorrhine element with light skin, eye and hair colours in the Pathans of the North, the Red Kaffirs and in the despised Kalash of this region.<sup>44</sup>

42 Zimmer, p. 216.

43 According to Zimmer Indus was the original Saraswati river, p. 10.

44 B. S. Guha: "Census Report," Vol. III, pt. I. Ethnographical, p. XXX.

to enquire into the racial elements of the region where the ancient Vedic tribes used to dwell.

From the enquiries of the data of the both sides of the Hindukush, so far collected by the anthropologists and philologists, it is clear that in the north of the Hindukush, tribes speaking the Eranian language, are dominant, while in the south and in the south-east, various dialects of the *Indian* languages, (variations of Prakrit) are present. Some say that these are related to Sanskrit through various grades of evolution<sup>36</sup> while, as said before, Grierson<sup>37</sup> maintains that some of these dialects that are known to the Sanskritists as "Paisacha Prakrit" are to be considered as special language group though, as said before, Bloch and Morgenstierna are against it.

But the anthropologists<sup>38</sup> have named these Pamir tribes, who are similar to the Indians, as "Indo-Afghans." Thus the Dards and those tribes who, according to Grierson, belong to the "Kbo" language group, fall within this anthropological nomenclature. And these Dards were the people who were termed as Kshatriyas by Manu,<sup>39</sup> but "who, having not received the sacrament at the proper time, became Vratyas (out-caste)"<sup>40</sup> and "in consequence of the omission of the sacred rites, and of their not consulting the Brahmans, have gradually sunk in this world to the condition of Sudras."<sup>41</sup> Again, according to Zimmer, the "Vratyas" were Aryans who did not submit to Brahmanical polity; such were almost all the tribes who retained

36 G. Leitner : "The Languages and Races of Dardistan," pt. 1.

37 Grierson : "The Pisaca Language of North Western India."

38 Joyce : Jour. Anth. Inst., Vol. XVI, p. 468.

39 Vide—'Institutes of Manu,' X. 43.

40 "The Laws of Man" Translated by Buehler, ch. II, 39.

41 "Institute of Hindu Law or the Ordinance of Manu," ch. X, 43. 44—Jones' Translation.

their dwelling places in the west of Saraswati<sup>42</sup> (Indus).<sup>43</sup> Thus we see the tribes on the Indian sides of the Hindukush and Pamir regions were regarded as a part of the Indo-Aryan race, and anthropologists of to-day find racial similarity between them and the people of the Panjab; hence all of them have been included in the common nomenclature. Further, we have already heard that East-Kabulistan and the rivers of the upper Indus were the regions where the Indo-Aryans had their place of residence in historical side. The statement agrees with the anthropological reports so far collected.

Now let us inquire into the racial elements that are to be found in these regions in order to make out a probable conjecture of the racial characteristics of the Vedic tribes. If it be possible to throw any light on the somatology of the ancient people of the Vedas, by referring to the somatic characteristics of the modern peoples of the same place, then, we see that Mr. Guha, speaking about the integumentary colours of the people of N.-W. Frontier of India while referring to the rosy-white colour to be found in highest percentage amongst the Tadjik and Badakshi of Badakshan, speaks of "a distinctly dark element present in varying degree" amongst them. He further says: "The percentage of this latter is greater among the Pathans, the Kaffir and the Badakshi; but considerably less in the others." Here, it is clearly demonstrated that the Eranian-speaking tribes are lighter in complexion and the tribes known as Indo-Afgans, *viz.*, the Pathans and Kaffirs, have distinctly a dark element amongst them. But he also speaks of a tall dolichocephalic-leptorrhin element with light skin, eye and hair colours in the Pathans of the North, the Red Kaffirs and in the despised Kalash of this region.<sup>44</sup>

42 Zimmer, p. 216.

43 According to Zimmer Indus was the original Saraswati river, p. 10,

44 B. S. Guha: "Census Report," Vol. III, pt. I. Ethnographical, p. XXX.

Again, by referring to the biometric analysis of the somatic data of the tribes dwelling in these regions made by the writer<sup>45</sup> it is to be seen that the Eranian-speaking tribes are dominantly brachycephal-mesorrhins. This is the type that seems to be described by Joyce as "A white-rosy race, very brachycephalic, stature above average, with thin prominent nose, varying from aquiline to straight, hair brown, usually dark, eyes medium in the main."<sup>46</sup> This is La Pougé's "Home Alpinus."<sup>47</sup>

Then, there is another type of dolichoid-leptorrhin characteristic,<sup>48</sup> which is represented by the tribes similar to the Indians and it seems it is the type that is mesaticephalic, tall prominent and with aquiline nose, black wavy hair, dark eyes. This race may be termed as "Indo-Afghan".<sup>49</sup>

Besides these, the Brachycephal-leptorrhins are to be found with many of the tribes of Indian, Afghan and Baluch origins<sup>50</sup> living in Baluchistan and in different parts of India also amongst some of the Eranian-speaking tribes of Centr

45 Vide—B. N. Datta "Eine Untersuchung der Rassenelemente in Baluchistan und den Nachbarländern des Hindukush." See its English translation published in "Man in India," vol. xix, 1939 Nos. 2, 3 and 4 of vol. xx : 1940, Nos. 1 and 2.

46 Data of Aurel Stein, worked out by Joyce in Jour. Anth. Inst., Vol. I, pp. 468—469.

47 This type is generally termed as "leptorrhin"—vide Bodganoff's report Fidehonko's data—"Notes anthropométriques sur les indigènes du Turkestan," Vol. II. 1891. But by making an analysis of Joyce's data on the Galtichas and the Savoyard attardés of Lapouge it is found that they are predominantly mesorrhins though the percentage of Leptorrhins comes next in number. Hence I call this as on the average to be 'mesorrhins.' Joyce's all Eranian-speaking tribes, except Faizabadis, are mesorrhins (Vide J. A. I, vol. XVI). But F. O. Schwarz speaks of "langen Vorspringenden Nasen" of the Galtichas (Turkestan," pp. 33—34.)

48 B. N. Datta : op. cit.

49 Joyce : pp. 468—69.

Asia<sup>51</sup>; while the dolichoid-leptorrhins are to be found in Baluchistan, Hindukush, Pamir and in India proper. Again, there is another biotype, the dolichoid-mesorrhin, which is to be found with some of the Balooch and Afghan tribes of Baluchistan and beyond. It is very strongly represented in India.<sup>52</sup>

Now let us enquire into the anthropology of the homelands of the Vedic tribes—the Panjab, the land of five rivers. Risley is supposed to have found the people preserving the “Aryan” characteristics in a pure state. He classes them as tall dolichocephalic and leptorrhins.<sup>53</sup> Haddon echoes the same opinion when he says: “The prevailing type in the Kashmir Valley, the Panjab and Rajputana is represented by Jat and Rajput, they are very dolichocephalic with leptorrhin nose. This type is of Indo-Afghan or Indo-Aryan of some authors.”<sup>54</sup> Then comes Von Eickstedt who measured 76 Jat-Sikhs of the Panjab. His subjects on the average are dolichocephal-leptorrhins.<sup>55</sup>

But applying biometric method to analyse the somatic data, he has found out five racial types amongst his subjects; two distinct biotypes and three numerically small phenotypes of which again two have affinities with the racial elements of Western Himalays and the other one shows mixture from the element from the Dekkan (“Dravidoid”).<sup>56</sup> Thus he says those subjects who come from eastern half of the Panjab are strongly heterogeneous.<sup>57</sup> Amongst those heterogeneous population he found traces of west-Asiatic (Vorderasiatisch) element.<sup>58</sup> Again

51 Ujfalvy: “Les Aryans Au Nord et Au Sud de l’Hindoukoush,” vide—the Darwazis; Bogdanoff “L’anthropologie,” Vol. II. 1891. Vide—the Galtchas; Joyce—J. A. I., Vol. XVI. Vide the Faizabadis.

52 Risley: “Peoples of India,” vide Indices Appendices.

53 H. Risley: “People of India, pp. 32, 48.

54 Haddon: “The Races of Man,” pp. 111-114.

55, 56, 57, 58 Egon von Eickstedt—“Rassenelemente Der Sikh” in “Zeit Schrift der ‘Rassenelemente der Sikh’ in Feitschrift der Ethnologie Ethnologie,” 1920—21. pp. 335, 366, 365.



the *Indian* census reporter of 1931 speaks of the presence of the Armenoid (west-Asiatic) type in the upland valleys of East Panjab and in the United Provinces (Gangetic Valley plain). Further, a biometric analysis made by the present writer of somatic data and some of the castes of the Panjab given by Risley shows that, the Khatri (claiming descent from the ancient Kshatriyas) are predominantly Dolichoid (dolichocephal and mesocephal)—mesorrhins ; with the Jat-Sikhs (Jats of Sikh religion who are generally cultivating class) dolichoid—leptorrhin characteristic is in majority ; with the Aroras (a mercantile class) dolichoid-mesorrhin characteristic is preponderant ; with the Churas ("untouchable" or, depressed class)<sup>59</sup> dolichoid-mesorrhin characteristic is overwhelmingly preponderant. Yet, brachycephaly exists with the Khatri in a small percentage and with the Churas in the same proportion, while Mesorrhiny exists with the Aroras and the Churas in overwhelming percentage. Again Chamoerrhiny exists with the Khatri in a small percentage and with the Churas in still smaller quantity.<sup>60</sup> Thus it is seen, the presence of brachycephalic as well as chamoerrhine elements in the Panjab cannot be denied.

Speaking about the presence of the Armenoid type in India the census reporter of 1931 says : "In a type modified by hybridization, it is common enough in India, but does not seem to be confined to any particular caste though perhaps more often noticable among Brahmans and Banias than among others, and is most common in Dravidian-speaking India and in the upland valleys of east-Panjab and the United Provinces."<sup>61</sup> Thus it is clear from the abovementioned facts that Brahmavarta—the holy land of the Vedic people—contains a heterogeneous population and the Armenoid type being not a stranger there.

59 The nomenclature of the British—Indian Government.

60 B. N. Datta : "Eine Untersuchung der Rassen elemente in Afghanistan."

61 Census of India, 1931, Vol. 1, pt. 1.

Then we come to Dixon who speaks of the presence of the Mediterranean element in the Panjab.<sup>62</sup> The census reporter of 1931 also speaks of the presence of the Mediterranean type as inferred by the discovery of the Sialkot and Bayana-skulls.<sup>63</sup> Finally, we come to enquire into the report of the newly discovered "Indus-valley Civilization." The reporter says : "To this civilization I have tentatively given the name of "Indus," because of its close association with the country watered by that river and its tributaries. For all we know, it may have extended well beyond the eastern limits of the Panjab."<sup>64</sup> Regarding the anthropology of the Indus valley the same reporter says : "As far back as its history can be traced, the population of Sind and the Panjab had been a blend of many diverse elements and there is no reason for assuming that it was other than heterogeneous in the earlier age with which we are now concerned."<sup>65</sup>

Thus, we have not been able to identify the Vedic Aryans with a particular biotype, and there is no proof to assert that they have been a homogeneous racial group. In the homeland of the Indo-aryans diverse biotypes exist from remote antiquity. "Arya" had been the cultural name of the Vedic peoples and their descendants. The Indo-European-speaking people of India had been a *cultural ethnic* group.

62 R. B. Dixon—"The Racial History of Man." p. 267.

63 Census of India, op. cit.

64 Sir J. Marshall : "Mahenjo-Daro and the Indus Civilization, Vol. 1.

65 *Ibid.*, op. cit., p. 109.

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63 Census of India, op. cit.

64 Sir J. Marshall : "Mahenjo-Daro and the Indus Civilization, Vol. 1.

65 *Ibid.*, op. cit., p. 109.

## CHAPTER IV

### Racial Elements in Caste

We have so far found out that the racial composition of the Vedic tribes remains unknown and their affinities cannot be identified. Rather we have seen that the Panjab, the cradle of the Indo-Aryan<sup>1</sup> people contained in prehistoric period a population of heterogeneous racial composition and the case is the same with the present-day population, *i.e.*, different biotypes are always to be found there. For this reason the hypothesis that the Indian caste system is the result of the conflict between two races, gets no substantive proof. The theory advanced by Sir Herbert Risley that the caste-system has got a racial basis and in defence of this hypothesis the dictum formulated by him that "higher is the nasal index lower is the social status of the caste" needs proof.

According to those who believe that the Indo-Aryans by conquering the darkskinned and flatnosed aborigines imposed their rule on the autochthonous people of India, and in order to keep their racial purity formed the social stratification known as the caste-system refer to Risley who said that higher is the social status of the caste, lower is the nasal index of that group ; which evinces the amount of Indo-Aryan blood it contains within itself, and higher is the nasal index of the caste lower is the status of the same, which again betrays the amount of aboriginal blood it has got within itself. Risley's hypothesis

1 Vedic Index says "The importance of the Panjab as to home of the Rig Veda has been greatly diminished by recent research. Hopkins, Pischel, Geldner, having different ground for believing that the Rig Veda, was composed farther east, in the Madhyadesa, which admitted was the home of later Vedic culture, Vol. I. p. 468.

is to be summed up in his dictum that "the social position of a caste stands in inverse ratio with the average nasal indices of their members"<sup>2</sup> ?

According to Risley, the dolichocephalic—leptorrhin Indo-Aryans despised the black snub-nosed aborigines and "though in the beginning they had to take aboriginal women as wives they would not give their women to the aborigines, and later closed their ranks to further admixture." Thus, "there naturally arose a regular gradation of social rank with communities of pure Aryan taking the precedence, these with various degrees of racial miscegenation coming behind them, and those of pure aboriginal blood bringing up the rear."

Thus the theory of the racial origin of the caste and the system of hypergamy that was evolved along with it in order to keep up racial superiority of the Indo-Aryans, was advanced by Risley, and those who support the theory of the racial origin of the Indian caste system accept his dictum and refer to his data. Hence a critical examination of Risley's data and dictum is necessary here.

According to Risley as said before the Indo-Aryans were dolichocephal-leptorrhins, and he found the traditional Indo-Aryans to be existing in North India. On this account, by examining the nasal indices of the tribes and castes of the Panjab and Rajputana as given by Risley we find the following figures according to their serial number :

Gujar <sup>3</sup>	66·9	Arora	71·2
Sikh (Jat)	68·8	Rajput	71·6
Khatri	68·8	Mina	74·4
Macchi	70·0	Chura	75·2

<sup>2</sup> H. H. Risley : People of India," p. 47.

<sup>3</sup> A part of the Gujars are Mohammedans, and it seems the Gujar subjects measured by Risley belong to the same group.



But according to Hindu social order the serial number of the abovementioned castes ought to be thus : Rajput, Khatri, Jat, Chura.

If Risley's hypothesis that is supposed to be based on anthropological observation be correct, then we would find the Rajputs who are regarded as the second class of the Hindu society and who arrogate to themselves the position as the descendants of the ancient Kshatriyas, to have the lowest number of average nasal index and the Minas to have the highest number of the same in this list. But we see the pastoral Gujars and the agricultural Jats who are ranked in the lower order of the society topping the list. Again the tanner Macchi whose position is very low in the society and is regarded as an unclean caste, has got lower index than the Arora, a mercantile caste claiming descent from the ancient Kshatriyas and then comes the Rajput. Again, Minas who are said to have "aboriginal" blood in their veins have got lower average index than the Churas an "unclean" (*asat*) caste belonging to the lower order of the society.

Thus in the homeland of the Indo-Aryans of Risley we find his dictum failing in its application !

Then by examining the figures of nasal indices as given by Risley of the people of upper Gangetic valley now-a-days known as the "United Provinces" we find the following serial number :

Bhuihar	73.0	Kurmi	79.2
Brahman	74.6	Bania	79.6
Kayastha	74.8	Goala	80.9
Chatri	77.7	Kewat	81.4
Khatri	78.1	Lohar	82.4

Here we find the Bhuihars who call themselves as a sub-division of the Brahman caste though pursue agricultural calling, to have the lowest figure. But the Chatri caste (another name for the Rajput and is corruption of the word Kshatriya) claiming to be the descendants of the ancient fighting class, has got higher

average nasal index than the Kayasthas (writer caste) who are ranked as clean (*sat*) Sudras ! Thus, the Sudra Kayasthas have average lower nasal index than the present-day representatives of the ancient Kshatriyas—the Chatris and the Khatri, and the Vaishyas—the Banias ! Further, the Kurmi an agricultural caste and ranked in the lower order of the ancient Sudra class, has got lower average nasal index than the mercantile Bania caste which prides itself to be the lineal descendant of the ancient Vaishya caste ! Lastly, the Kewat, a fisher caste regarded as an unclean caste, and ranked in the lowest stratum of the Hindu society has got lower index than the Lohar (smith) which claims to be a subdivision of the ancient merchant class though it may be ranked now-a-days as belonging to the clean (*sat*) Sudra group of castes !

According to the stratification of Hindu social hierarchy the serial number should follow the following order : Brahman, Chatri, Khatri, Bania, Kayastha, Lohar, Goala, Kurmi, Kewat. But according to Risley's serial number of nasal index we find the purebred Brahman stand below the Bhuihar, the Kayastha above the Chatri, Khatri and Bania ; and the unclean Kewat above the smith Lohar. Here also Risley's dictum fails.

Next we come to enquire into the province of Behar. It is the continuation of upper Gangetic valley, and socially and linguistically accords with the "United Provinces." Here, Risley gives the following average nasal index numbers :

Brahman	73·2	Maghayadom	82·2
Babhan	74·0	Dosadh	82·4
Goala	76·7	Chamar	82·8
Kurmi	78·5	Musahar	88·5
Kahar	79·9		

The measurements of some of the important castes are lacking in this list. The Brahman in this list has got the lowest number of nasal index, but it is to be seen here that the

Maghayadom and the Dosadh who as members of the Pariah castes stand in the lower strata of the society, have got lower indices than the Chamar the tanner caste who though belonging to the "unclean" section of the Sudra class yet stand higher than the abovementioned castes.

Now we apply ourselves to the lower Gangetic valley, the province of Bengal. The nasal index numbers of the castes measured by Risley follow the following serial :

Kayastha	70.3	Sadgop	73.9
Brahman	70.4	Goala	74.2
Chandal	73.9	Kaibarta	76.2

Here again, the measurements of some important castes are lacking. The serial rank according to Hindu social hierarchy should follow the order thus : Brahman, Kayastha, Chandal, and the intermediate castes of Goala, Sadgop and Kaibarta would take middle place between the Kayastha and the "unclean" Chandal.

But in Risley's serial number we see the Kayasthas as a clean Sudra caste have the lowest index number and tops the list and have lower index number than the Brahmans, the "unclean" and "untouchable" caste of Chandal<sup>4</sup> (now-a-days calling itself as Namasudra) have nasal index number higher only to the Kayastha and Brahman and lower than the "clean" intermediate castes who claim higher origin and stand higher in the social hierarchy.

Lastly we come to South India. Here, according to Thurston<sup>5</sup> the Lambadis a non-brahman caste have average nasal index number 69.1 which is the lowest in the serial of measurements and the Kanarese Pariahs have index number 75.9 while

<sup>4</sup> Regarded as a "depressed" caste in the Scheduled list of Government Census of 1931.

<sup>5</sup> E. Thurston: Madras Government Museum Bulletin, Vol. II, no. I. "Badagas and Irulas of the Nilgiris," p. 64.

the Pattar Brahmans have nasal index number 76·5 and the Brahmans of the Madras city have 76·7. Thus in this list we see the much honoured Brahmans have higher nasal indices than the despised untouchable Pariahs and the Sudras ! In this list of Thurston, the Lambadis are the only Leptorrhinians, and the Kanarese Pariahs are comparatively narrow-nosed than the Pattar Brahmans of Madras city. Thus, again here, the dictum of Risley that lower is the nasal index higher is the status of the caste does not hold good. In this matter Mr. O'Donnel says "when these data are examined it seems, his theory is not proved...the race theory of caste scarcely gets any statistical help."<sup>6</sup> Thus the anthropological data of Risley on the North-Indian castes and of Thurston on the South-Indian castes do not lead us to accept Risley's dictum that the social position of a caste stands in inverse ratio with its average nasal index. Of course by referring to the lists of the above-mentioned anthropologists we find many castes who stand in the lower stratum of the Hindu society and even outside its pale, having very high numbers of nasal indices. Chamoerrhiny is very prominent with them. But here the question arises is Chamoerrhiny the cause of their social degradation ?

This question leads us to analyse the data of Risley.<sup>7</sup>

As the index average does not give the idea of the component elements that lie hidden in it, and the averages would only give a study-room formulated hypothetic race, it is necessary to analyse the racial elements that are to be found amongst a given group of men.

For this reason, a biometric analysis of the data of some of the castes as given in Risley's "Tribes and Castes of Bengal" is given here, in order to find out the different racial elements within a caste, a correlation of the head and nasal indices has

6 C. J. O'Donnel in Bengal Census Report for 1891. p. XIX.

7 Risley : "Tribes and Castes of Bengal, Vol. I and II.

been made here and an attempt has been made to find out the elements by making the following combinations : Dolichoid (dolichocephal and mesocephal)—leptorrhin element ; dolichoid-mesorrhin element ; dolichoid—chamoerrhin element ; brachycephal-leptorrhin element ; brachycephal-mesorrhin element ; brachycephal-chamoerrhin element.

Below is given the result of the analysis<sup>8</sup> and the figures have been given in percentages.

Panjab castes.

1. Khatri (60 Persons).

Dolichoid-leptorrhin	25·0%	Brachycephal-leptorrhin	0·
„ mesorrhin	68·3%	„ mesorrhin	1·66%
„ chamoerrhin	5·0%	„ chamoerrhin	0·
.....			

2. Jat-Sikh (80 Persons).

Dolichoid-leptorrhin	57·5%	Brachycephal-leptorrhin	0·
„ mesorrhin	40·0%	„ mesorrhin	0·
„ chamoerrhin	2·5%	„ chamoerrhin	0·
.....			

In order to compare with the data of the Jat-Sikhs measured by Von Eickstedt, the following analysis of the same is given :—<sup>9</sup>

Jat-Sikh (75 Persons).

Dolichoid-leptorrhin	73·3%	Brachycephal-leptorrhin	0·
„ mesorrhin	26·6%	„ mesorrhin	0·
.....			
„ chamoerrhin	0	„ chamoerrhin	0·

<sup>8</sup> In order to see the differences between the different elements, the majority element is underlined and the element next to it is dotted below.

<sup>9</sup> Eickstedt : "Rassenelemente der Sikh" in N. & Ethnologie, vol. 415. 1920-21.

3. Arora (27 Persons).

Dolichoid-leptorrhin	25·9%	Brachycephal-leptorrhin	0·
.....			
„ mesorrhin	74·07%	„ mesorrhin	0·
„ chamoerrhin	0·	„ chamoerrhin	0·

4. Chura (80 Persons).

Dolichoid-leptorrhin	13·7%	Brachycephal-leptorrhin	0·
.....			
„ mesorrhin	80·0%	„ mesorrhin	1·25%
„ chamoerrhin	5·0%	„ chamoerrhin	0·

United Provinces (former North-Western Provinces).

1. Brahman (100 Persons).

Dolichoid-leptorrhin	25·0%	Brachycephal-leptorrhin	0·
.....			
„ mesorrhin	63·0%	„ mesorrhin	1·0%
„ chamoerrhin	11·0%	„ chamoerrhin	0·

2. Chatri (100 Persons).

Dolichoid-leptorrhin	8·0%	Brachycephal-leptorrhin	0·
„ mesorrhin	69·0%	„ mesorrhin	3·0%
„ chamoerrhin	20·0%	„ chamoerrhin	0·
.....			

3. Bania (80 Persons).

Dolichoid-leptorrhin	12·5%	Brachycephal-leptorrhin	0·
„ mesorrhin	56·25%	„ mesorrhin	1·25%
„ chamoerrhin	30·0%	„ chamoerrhin	0·

4. Khatri (15 Persons).

Dolichoid-leptorrhin	20·0%	Brachycephal-leptorrhin	0·
„ mesorrhin	46·6%	„ mesorrhin	0·
„ chamoerrhin	33·33%	„ chamoerrhin	0·
.....			

## 5. Kayastha (100 Persons).

Dolichoid-leptorrhin	16·0%	Brachycephal-leptorrhin	0·
„ mesorrhin	57·0%	„ mesorrhin	1·0%
„ chamoerrhin	25·0%	„ chamoerrhin	1·0%
.....			

## 6. Goala (100 Persons).

Dolichoid-leptorrhin	9·09%	Brachycephal-leptorrhin	0·
„ mesorrhin	53·5%	„ mesorrhin	1·0%
„ chamoerrhin	36·3%	„ chamoerrhin	0·
.....			

## 7. Kurmi (100 Persons).

Dolichoid-leptorrhin	13·0%	Brachycephal-leptorrhin	0·
„ mesorrhin	56·0%	„ mesorrhin	1·0%
„ chamoerrhin	30·0%	„ chamoerrhin	0·
.....			

## 8. Kawat (100 Persons).

Dolichoid-leptorrhin	11·0%	Brachycephal-leptorrhin	0·
„ mesorrhin	52·0%	„ mesorrhin	0·
„ chamoerrhin	37·0%	„ chamoerrhin	0·
.....			

## BEHAR

## 1. Brahman (67 Persons).

Dolichoid-leptorrhin	31·34%	Brachycephal-leptorrhin	2·98%
.....			
„ mesorrhin	58·2%	„ mesorrhin	2·98%
„ chamoerrhin	4·47%	„ chamoerrhin	0·

2. Goala (100 Persons).

Dolichoid-leptorrhin	14·0%	Brachycephal-leptorrhin	1·0%
.....		.....	
„ mesorrhin	65·0%	„ mesorrhin	9·00%
„ chamoerrhin	7·0%	„ chamoerrhin	4·0%

3. Kurmi (71 Persons).

Dolichoid-leptorrhin	5·63%	Brachycephal-leptorrhin	1·04%
„ mesorrhin	70·42%	„ mesorrhin	5·63%
„ chamoerrhin	14·08	„ chamoerrhin	2·81%
.....		.....	

4. Kahar (56 Persons).

Dolichoid-leptorrhin	5·35%	Brachycephal-leptorrhin	0·
„ mesorrhin	57·14%	„ mesorrhin	12·5%
„ chamoerrhin	23·21%	„ chamoerrhin	1·78%
.....		.....	

5. Musahar (77 Persons).

Dolichoid-leptorrhin	0·	Brachycephal-leptorrhin	0·
„ mesorrhin	22·07%	„ mesorrhin	3·89%
.....		.....	
„ chamoerrhin	71·42%	„ chamoerrhin	2·59%

BENGAL

1. Brahman (100 Persons).

Dolichoid-leptorrhin	29·0%	Brachycephal-leptorrhin	13·0%
.....		.....	
„ mesorrhin	40·0%	„ mesorrhin	15·0%
„ chamoerrhin	2·0%	„ chamoerrhin	1·0%

2. Kayastha (100 Persons).

Dolichoid-leptorrhin	28·0%	Brachycephal-leptorrhin	17·0%
.....		.....	
„ mesorrhin	40·0%	„ mesorrhin	14·0%
„ chamoerrhin	1·0%	„ chamoerrhin	0·



## 3. Sadgope (48 Persons).

Dolichoid-leptorrhin	22·9%	Brachycephal-leptorrhin	4·16%
.....			
„ mesorrhin	50·0%	„ mesorrhin	14·5%
„ chamoerrhin	6·25%	„ chamoerrhin	2·08%

## 4. Kaibarta (100 Persons).

Dolichoid-leptorrhin	12·0%	Brachycephal-leptorrhin	1·0%
„ mesorrhin	54·0%	„ mesorrhin	19·0%
.....			
„ chamoerrhin	11·0%	„ chamoerrhin	3·0%

## 5. Goala (41 Persons).

Dolichoid-leptorrhin	17·07%	Brachycephal-leptorrhin	2·43%
.....			
„ mesorrhin	63·41%	„ mesorrhin	9·75%
„ chamoerrhin	4·87%	„ chamoerrhin	2·43%

## 6. Chandal (67 Persons).

Dolichoid-leptorrhin	16·41%	Brachycephal-leptorrhin	11·94%
.....			
„ mesorrhin	49·2%	„ mesorrhin	10·44%
„ chamoerrhin	7·46%	„ chamoerrhin	4·47%

## 7. Bagdi (100 persons).

Dolichoid-leptorrhin	5·05%	Brachycephal-leptorrhin	1·01%
„ mesorrhin	58·5%	„ mesorrhin	8·08%
„ chamoerrhin	25·25%	„ chamoerrhin	2·02%
.....			

A look into this list will show that dolichoid characteristic of head form is in majority with all the castes that are mentioned here. But with the exception of the Jat-Sikhs and the Aroras who show cent per cent dolichoid characteristic, brachycephaly is to be met with most of the castes. It is not unknown in the Panjab and this characteristic increases as

one goes more eastward towards Bengal. Its increase is to be perceptibly seen from Behar. Thus in the headform we find diversities.

In the Panjab if the cultivating Jats have long form of head, the Khatri caste claiming descent from the ancient Khatriyas and socially standing higher than the Jats and the Aroras, show certain amount of brachycephaly within itself. In the United Provinces (old nomenclature—North-West Provinces) the Chatris claiming themselves to be the lineal descendants of the ancient Khatriyas have got brachycephaly in largest percentage than all other castes with the exception of the Kayasthas—the Writer caste. In Behar, the Brahman caste standing at the top of the social hierarchy and the Pariah Musahars at the bottom, both betray the lesser percentage of brachycephaly than the milkman Goala and the servile Kahar who standing intermediate between the above two, show largest percentage of broad form of head. In Bengal the Kayasthas have the largest percentage of brachycephaly in them, than the Brahmans and then the unclean Chandals, while the Pariah Bagdi caste betrays the least percentage of brachycephaly and the highest percentage of dolichoid characteristic.

Thus a special type of head form is not the monopoly of a particular caste. If Risley's Indo-Aryans had longskulled form of head as its speciality, the same also is to be found with the castes labelled as Pariahs ! Further, it is to be seen in the analysis that the pure Aryan region of Risley contains a certain amount of brachycephaly within its area !

Then we come to the question of leptorrhiny. Risley's test of Aryan blood lies in leptorrhiny. In this list we see that Risley's "Jat-Sikhs" is the only group which has largest percentage of leptorrhiny amongst it. In the Panjab, the pure "Indo-Aryan" area of Risley, the other Hindu castes show very poor amount of leptorrhiny in them !

† If we consider only the leptorrhinic element that is to be found in a caste, we will see that the Aroras of the Panjab has got more leptorrhinic characteristic in them than the Khatri who claim higher social status. In the United Provinces (old N. W. P.) the Chatri claiming to be the direct descendant of the ancient Khatriya class, has got least percentage of leptorrhiny than the other castes. In this province though the Brahman tops the list of leptorrhiny, the unclean and depressed fishing caste of Kawat shows more leptorrhinic characteristic in it than the Chatri. Again, in Behar the unclean and depressed caste of Musahar is conspicuous by the absence of leptorrhinic characteristic in them. Finally in Bengal, the writer caste of Kayastha has got more leptorrhinic characteristic in it than the Brahman which is at the head of the social hierarchy, and the unclean, untouchable and depressed Chandal takes next place after the Brahman in the matter of leptorrhiny! Thus it cannot be said that nasal forms are the indices of social status.

Further, by referring to the correlated caste list we see that various racial elements are present in all the castes. None of them are homogeneous in their Somatological composition. Of these only the Jat caste following the Sikh religion show the *dolichoid-leptorrhin* element to be dominant in them. All other castes in the list save the Musahar of Behar show the *dolichoid-mesorrhin* element as the dominant type. The *dolichoid-chamoerrhin* characteristic is only strongest with the Musahar. Beside these, the other two elements which begin to show themselves in greater numbers from eastern India are the *brachycephal-leptorrhin* and *brachycephal-mesorrhin* types, while the *brachycephal-chamoerrhin* element which is not strong anywhere begins to show itself from the United Provinces.

Thus by making an analysis of the castes measured by Risley we find that the Hindu castes of to-day are composed of various racial elements. It is clear that each caste is not composed of

a separate racial element, *i.e.*, each caste is not identified with a particular biotype. Again, if long form of head and narrow nose be the criteria of Vedic-Aryan racial type then we find that none of the castes mentioned in the list possesses those characteristics in entirety, rather all with the exception of the Musahar possess those elements in more or less degree. As a corollary it can be said that chamoerrhiny cannot be held to be responsible for a caste's lower status, as many of the upper castes possess it in great percentage. If the Musahar caste whose status is very low contains chamoerrhiny as its dominant element, the same caste in a different name enjoys better social status elsewhere. The Musahar under the name of Ghatwal Bhuiya claims to be Rajput in the district of Santal Pargannas of Behar, and in the province of Orissa is known as Khandait who "likely in course of time to transfer itself into some variety of Rajput."<sup>10</sup> Further, if the prevalence of leptorrhinic element be the index of a caste's higher social status as thereby it shows the higher amount of Aryan blood in it, we have seen in the table of the analysis of the castes that the Jat-Sikhs<sup>11</sup> coming from cultivating Sudra class show the largest amount of leptorrhiny amongst all the castes, while the Chatri inspite of his hoary tradition is at the bottom of the U. P. castes, and the Kayastha of Bengal traditionally counted as belonging to the clean (*sat*) Sudra class is superior in this respect than the Brahman of the same province !

The same phenomenon has been observed in South India as well. Thus leptorrhiny is not the criterion of a caste's social status in the Hindu hierarchy.

Finally, if we compare the elements contained in those castes which are to be found in several provinces and speaking different

10 Risley: "Tribes and Castes of Bengal," Vol. (Ethnographic Glossary), pp. 110-111.

11 In modern time the Jats of Hindu persuasion are claiming higher social status.

Sikh is a religious designation. The cultivating Jats are followers of different religions.

languages, *viz.*, the Khatri of the Panjab and the U. P.; the Brahman of U. P. Behar and Bengal; the Kayastha of U. P. and Bengal; the Goala of U. P., Behar and Bengal; the Kurmi of U. P. and Behar; the Kewat of U. P. the Kaibarta<sup>12</sup> (Kewat) of Bengal, we find that in their racial make up they do not show the same composition. If Brachycephal-mesorrhin element is present with the Panjab Khatri group, it is absent in the U. P. branch, again, Dolichoid-chamoerrhin element is stronger with the latter than the former section of this caste. In the case of the Brahman caste, the brachycephal-leptorrhin element is absent in the U. P. section while it is present in a small amount in the Behar branch and in still greater amount in Bengal. Again if dolichoid-chamoerrhin element is present in the U. P. group in a goodly number, it is least present in the Bengal group. In the case of the Goala caste dolichoid-chamoerrhinic type is the second biggest element in the U. P. group while dolichoid-mesorrhinic type is the second biggest type in the Behar as well as in the Bengal sections. Again, brachycephal-leptorrhinic type is absent in the U.P. group while it increases more eastward, the biggest amount is to be found in Bengal. In regard to the racial elements to be found amongst the Kewat or Kaibarta caste, it is to be seen that the dolichoid-chamoerrhinic type is the second biggest element in the U. P. group while brachycephal-mesorrhinic type is the second biggest element in the Bengal section. Again, while brachycephal elements to be found amongst the Kewat or Kaibarta caste, it is

12 Regarding the Kaibarta caste Risley says "All that can be said is that they are one of the characteristic castes of the deltaic districts of Bengal...Kaibarta the Sanskrit or Prakrit form, has been preserved in Bengal and is still in general use as the name of the caste in question, while the shorter form Kewat has become current in Behar" ("The Tribes and Castes of Bengal," Vol. I, pp. 375-376. Ethnographic glossary). Kewat probably the corrupt form of Prakrit Kebatta is colloqually used in Bengal also. The cultivating Kaibartas have changed their caste name to Mahishya while the fisher Kaibartas are still known by the old name in Bengal.

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As regards the Kurmi caste—while one form of brachycephalic element is present in a negligible quantity in the U. P. group, it is present in a greater number in the Behar section. Again, dolichoid-leptorrhinc and dolichoid-chamoerrhinc types are present in the U. P. group in greater amount than in the Behar group.

Thus we find the identical castes hailing from different parts of India have not got the same racial elements in them. In the matter of cephalic and nasal indices they are not identical either.

Now, enquiring into the latest somatological investigation of some of the Indian people as embodied in the Ethnographical Report <sup>13</sup> of the Census of India, 1931, the Reporter says that in Bengal, "The Brahmans and Kayasthas are intimately related." Again he says, "Racial basis of the Pods, the Mahisya and the Namasudra is fundamentally the same. The upper section formed of the Brahmans and the Kayasthas, however appear to be somewhat different. The relationship of these two, with the Vaidyas and the Subarnabaniks appears to be close."<sup>14</sup> Here we hear that the Brahman and the Sudra Kayastha in Bengal

13 Dr. B. S. Guha : "Census of India," 1931. vol I, India, pt. III. Ethnographical.

14 *Ibid.*, pp. xl—xlii.

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13 Dr. B. S. Guha : "Census of India," 1931. vol I, India, pt. III. Ethnographical.

14 *Ibid.*, pp. xi—xlii.



stands in intimate racial relation. Again the other three castes of which the Mahisya is regarded as a clean (*sat*) caste has got the same racial basis as the other two so-called 'unclean' (labelled by the Government as 'Scheduled caste') Sudra (*asat*) castes. In this matter again we donot find the different racial basis between the twice-born (*dwija*) Brahman and the Sudras of various social status.

Further, the Reporter says "Affinities are also shown by the Nair of Malabar and the Pathan of N. W. F. India with the Bengali Brahmans, and by the Nagar Brahman, the Tadjik, the Kathi and the Bania Jain with the Bengali Kayastha. The Pods however show much wider relationships being connected with the Oriya, Malva Brahmans, the Rajputs, the Audich Chitpavan and Desastha Brahman, the Mahratta, the Jruva and Kannada and Telugu Brahman."<sup>14</sup>

In this Report we find the Brahman of Bengal is shown to have got racial affinities with the Nair of South India, a Sudra caste speaking a Dravidian group of language and with the Eranian-speaking Pathan. In the same way, the Bengali Kayastha, who in the beginning has been mentioned to be intimately related with the Bengali Brahman, is shown to be related to the Nagar Brahman, the Bania of Guzerat, and to the Eranian Tadjik. Here we see, that a Sudra caste has got affinities with the Brahman and the Bania claiming ancient Vaishya descent as well as with an Eranian people.

Here we may pertinently point out that as regards the "Interrelations" the Reporter has said that he notices "an alignment of the dolichocephalic red Kaffirs and the Pathan with the long-headed groups of Northern India like the Brahman and the Rajput, and ... affinities are also shown by the Nair of Malabar and the Pathan of N. W. India with the Bengali

Brahman ;<sup>16</sup> then in turn the Bengali Pod who is said by him to have relationship with the Rajputs, must have racial likeness with the Bengali Brahman as well. In that case the twice-born Brahman and the so-called untouchable Pod of Bengal would betray their racial affinity.

As regards other provinces, the same Reporter speaks of the racial homogeneity of the people of the Panjab irrespective of caste or creed.<sup>17</sup> Regarding Guzerat, he says, "The main Guzerati castes are closely allied."<sup>18</sup> As regards Maharastra he says, "All castes of the Maharastra proper are so intimately connected that they must strictly be considered as samples of the same race."<sup>19</sup>

Thus out of this Ethnological Report also we cull out the fact that the castes have not got different racial bases. But as the somatological data of the same are not yet published, we are not in a position to make an analysis like that of the data of Risley in order to make a near enquiry of the presence of the biotypes in each caste, as according to the opinion of Prof R. A. Fisher coefficient of Racial Likeness "is a test of a significance, it does not calculate a racial difference."<sup>20</sup> (Conversely likeness).

Here the analyses of castes are at an end. We find that each of them is racially a mixed group. Also we see that each caste is composed of heterogenous biotypes. Thus each caste is a social unit and there is no racial basis to it. In our enquiry regarding the origin of the Vedic tribes we have discussed that the anthropologists opine that different biotypes have existed in India even before the supposed Vedic era. And in our analyses

16 *Ibid.*, p lvii.

17 R. A. Fisher : "The Coefficient of Racial Likeness and the Euture of Craniometry" in Journal of the Royal Anthropological Institute vol. lxvi, Jan—June 1936.

18 *Ibid.*, pp. xxii.

19, 20 *Ibid.*, pp. xxviii, lxxx.

of the castes we have found that the Hindu castes are conglomerations of different biotypes.

Thus as it is seen that there is no racial basis to the difference of caste system, the other alternative left is to accept the hypothesis that a caste is a socio-economic grouping, and the status of a caste is determined not by the amount of leptorrhiny representing the supposed Aryan blood present in it, but by the force of class-character.

## CHAPTER V

### Indian Caste—an Occupational Grouping

So far we have seen that the Indian caste system was not based on difference of race ; that the status of a caste was not determined by the amount of the blood of the conquering or the "Superior" race it had got within itself ; that the Indian castes could not be compared with various groups of mixed-breeds of America or elsewhere. On the other hand, the earliest part of the Vedas speaks of classes (*Varnas*).<sup>1</sup> Further, we have seen that there is no clue as to the racial composition of Vedic tribes calling themselves "Aryas" ; and we have also seen that the population of the Indus valley had been a mixed one in prehistoric period, the same being the case even to-day. Also we have seen that the present-day Indian castes contain different racial elements in them, *i.e.*, they are composed of different biotypes. Hence it follows that the class-divisions that evolved in Vedic and in post-Vedic periods of Indian History were social differentiations only. But as everyday social phenomenon has got an economic basis hence there must be economic foundations to these institutions. Here we must enquire into the economic bases of the social hierarchy.

The student of Indian History who reads in the Sanskrit religious books that the Hindu society is divided into four divisions, gets amazed when he finds that in actual life there are innumerable castes and he does not find the four orders as described in the religious books. Further, when one reads

1 That the word "varna" is class or any thing else but not caste is admitted by Fick—(Vide "Soziale Gliederung") and V. Smith (Vide—"Ancient and Hindu India," p. 36).



husbandmen mechanics and merchants. Ason necessarily followed the calling of his father. Only the scholars were eligible to government offices which were more or less hereditary.”<sup>6</sup> The *Purusha-Sukta* of Rig Veda narrates that the four divisions of society was created by God. But it is said by important Indologists that this allegory was a latterday interpolation of the priesthood when hard and fast four orders of society were accomplished facts. We also see that the allegorical depictment of different stratification of society according to colour and features was not unknown in Teutonic mythology even.<sup>7</sup> But it is very strange that no one draws any racial inference from it as in the case of the Vedic one !

In the Avesta we find three classes are mentioned, later in Jasna another class the *Huiti* is mentioned. In the Rig Veda we find three social divisions are mentioned ; in later books come the Sudras as the fourth class. In the Teutonic Edda, we find three classes are also mentioned. But as Bluntschli said, these ranks (Stands) transformed themselves in course of the history of the Middle Ages into professional ranks. In the later centuries four ranks were to be distinguished : the clergy, the aristocrat, the bourgeoisie or the third caste and the peasants. The first two ranks as aristocracy politically took ruling position. The third preserved the citizen's freedom. The fourth was powerless and formed the class that was ruled.<sup>8</sup>

The analogies are striking though Bluntschli along with the other occidental scholars misinterpreted the Indian Varna divisions as from the beginning as hereditary institutions ; hence they called them “castes.”

We have said before that the Indian social ranks were not originally a product of a race division nor were they castes as

6 Liung Bing : “Out lines of chtnese History.” 1914.

7 Canon I. A. Mac Culloch : “The Mythology of all Races ”Vol III, Ch. 27, p, 10.

8 Bluntschli : “Allegemeine Staatslehre.” pp. 129-133.

in the "Institutes of Manu" that apart from the four strata of the society which are nowadays looked upon as "castes" there are various "mixed castes" (Ch. X, 24), as it is said "By intermixture of the classes, by their marriages with women who ought not to be married, and by the omission of prescribed duties, impure classes have been formed."<sup>2</sup> Those who look upon the Indian castes as based on racial elements or as the products of two racial types, see in the "mixed castes" further miscegenations of racial elements. But the later aphorism throws light on those so-called mixed castes as it says, "These, among various mixed classes have been described by their several fathers and mothers, and, whether concealed or open, they may be known by their occupations."<sup>3</sup>

Thus the mixed castes are known by their occupations and here we get the clue to the actual fact about the origin of innumerable "castes" that are to be found in India from the time immemorial. In the Rig Veda, we see that from the vis (people) the ruling Kshatriya took its rise, and from the same family some differentiated themselves as priests. These three social divisions called themselves as "Aryas."<sup>4</sup> But in the latter part of the Vedas a new social order, called Sudra appeared in the scene. Similar social divisions were not unknown in ancient Persia. In ancient Asia Minor stratification of society was not unknown.<sup>5</sup> Even far eastern China knew the "Divisions of castes," Mr. Bing says "Four classes of people were recognised in the days of the Chourules, viz., scholars,

<sup>2</sup> Jones's translation of "Institutes of Hindu Law or the ordinance of Manu," pp. 343., 346.

<sup>3</sup> Buehler's translation of this aphorism is little bit different. Where Jones uses the word "classes," the former translates as "Races" (Jones translation, p. 346). Thus the original Sanskrit word 'Jati' or 'Varna' got the sense of being "races," (vide—Buehler. p. 411).

<sup>4</sup> Vide—Pargter's "Indian Historical Tradition" pp. 225, 245.

<sup>5</sup> Sir W. M. Ramsay : "Asiatic Elements in Greek Civilization," pp. 245.

husbandmen mechanics and merchants. Ason necessarily followed the calling of his father. Only the scholars were eligible to government offices which were more or less hereditary.”<sup>6</sup> The *Purusha-Sukta* of Rig Veda narrates that the four divisions of society was created by God. But it is said by important Indologists that this allegory was a latterday interpolation of the priesthood when hard and fast four orders of society were accomplished facts. We also see that the allegorical depiction of different stratification of society according to colour and features was not unknown in Teutonic mythology even.<sup>7</sup> But it is very strange that no one draws any racial inference from it as in the case of the Vedic one !

In the Avesta we find three classes are mentioned, later in Jasna another class the *Huiti* is mentioned. In the Rig Veda we find three social divisions are mentioned ; in later books come the Sudras as the fourth class. In the Teutonic Edda, we find three classes are also mentioned. But as Bluntschli said, these ranks (Stands) transformed themselves in course of the history of the Middle Ages into professional ranks. In the later centuries four ranks were to be distinguished : the clergy, the aristocrat, the bourgeoisie or the third caste and the peasants. The first two ranks as aristocracy politically took ruling position. The third preserved the citizen's freedom. The fourth was powerless and formed the class that was ruled.<sup>8</sup>

The analogies are striking though Bluntschli along with the other occidental scholars misinterpreted the Indian Varna divisions as from the beginning as hereditary institutions ; hence they called them “castes.”

We have said before that the Indian social ranks were not originally a product of a race division nor were they castes as

6 Liung Bing : “Out lines of chtnese History.” 1914.

7 Canon I. A. Mac Culloch : “The Mythology of all Races ’ Vol III, Ch. 27, p, 10.

8 Blurtschli : “Allgemeine Staatslehre.” pp. 129-133.



they were not hereditary in the very beginning. The ranks were originally professional grouping. In the course of time the professions multiplied and new groupings began to take place according to new occupations and functions. These gave rise to various subdivisions which Manu in his bewilderment has labelled as "mixed castes."

Indologists like Muir and Zimmer say that Rigvedic society was a casteless one.<sup>9</sup> It grew up as the vedic peoples advanced further eastward. Keith and Macdonell say, "The caste system is one that has progressively developed"<sup>10</sup> and we have discussed before how it has evolved. As regards the relation between caste and occupation, the same authors say, "The Greek authorities (Arrian Indika, XII, 8, 9; Strabo xv, 4, 49) and the evidence of the Jatakas (Fick: "Soziale-Gliederung" 40 *et seq*) concur in showing it to have been the general rule that each caste was confined to its own occupation."<sup>11</sup> Thus the evidences of the Buddhist period testify the saying of Manu that the mixed castes are known by their own occupation, *i.e.*, each caste was identified with a special occupation.

We have already seen that in the pre-Buddhist period there were social divisions in the Indian society like elsewhere, but there were classes and not castes. Thus the Indologist Rhys Davids<sup>12</sup> says, "Rules of endogamy and exogamy, privileges restricted to certain classes, of eating together are not only Indian or Aryan, but world-wide phenomena. Both the spirit, and to a certain extent the actual details, of modern Indian caste usages, are identical with these ancient, and no doubt universal customs." The truth of this saying, can be verified by the comparative study of the social system of the ancient and mediaeval non-Indian nations. The same author further says, "There is

<sup>9</sup> Zimmer, pp. 186, 203.

<sup>10, 11</sup> *Vedic Index*, Vol II, pp. 252-260.

<sup>12</sup> "Dialogues of the Buddha," p. 97.

no evidennce to show that at the time when the conversations recorded in the Dialogues took place (that is to say in the six century B.C.) there was any substantial difference, as ragards the barrier in question, between the peoples dwelling on the shores of the Mediterranean ... But of the caste in the modern sense among the preponderating majority there is little or no conclusive evidence. There was a common phrase current among the people, which divided the world into four Varna (colours or complexions) ... The priests put them first ... But it is clear from the Pitakas that this was not admitted by the nobles. And it is also clear that no one of these divisions was a caste<sup>13</sup>...there were insensible gradations within the four classes and the boundary between them was both variable and undefined ... The caste-system, in any proper or exact use of the term did not exist."<sup>14</sup>

We have seen that the social divisions of the Vedic period could not have been based on race and hereditary differentiations known as the "caste" system, rather the functions differentiated the various groups of the society. But there cannot be a function without an economic basis, and we have seen already that in the primordial period the functional groupings had economic bases. It cannot be supposed that society remained static by delineating vague functions to the groups known in the Vedas. The economic life of the groups could not have been exhausted by observing the functions once in a while, as those were not always in action. It cannot be supposed that all of the masses followed agricultural pursuits, all of the Sudras were servants and all the Kshatriyas were functioning as soldiers all the time, and all the Brahmans were following the profession of priesthood. Indeed these were the general professional groupings

13 Iain scriptures also put the Brapmans below the nobles vide R. Davids *Budhist India*" p. 62.

14 Rhys Davids, pp. 99-101.

to each of which evolved a certain function. But the question is, was this ideal state followed literally ?

We see in the Vedic period the Kshatriya prince sacrificing for himself and the people without the intermediary of the priest, the Vaishya is taking part in the war, the Sudra is seen as a ruler, a minister or a prosperous man, the Brahman is seen following different functions. Then, in the Epic period we see in the Ramayana a Brahman earning his livelihood by digging the earth with spades and ploughs (*Ayodhyakanda* xxxiii) without being socially dishonoured. In the same books we hear of the artisans being mentioned who enjoyed special privileges and higher craftsmen enjoy a very high social status.<sup>15</sup> Again in the same book, Guilds are also mentioned (*Ayodhyakanda* lxvii) though their organizational names are not given.<sup>16</sup> Then in the period immediately before Buddha and after him we get more authentic informations regarding Indian social condition. We hear that the nobles were at the head of the social hierarchy, then came the Brahmins, and below them were the Vaishyas and lastly the Sudras.<sup>17</sup> But apart from this traditional classification, there were different gradations, and vocations could be changed without damaging the social status. Thus, it is seen in Jataka v. 290 that "a love-lorn Kshatriya works successively (without any dishonour or penalty) as a potter, basket-maker, reed-worker, garland-maker and cook." Also Jataka vi, 372 "A setti (Vaishya Businessman) works as a tailor and as a potter and still retains the respect of his high born relations."<sup>18</sup>

In these two stories we hear of different vocations, and like the previous Vedic period they could be taken up by any body without any reference to his social position. And in

15. 16 J. N. Samaddar, "Lectures on Economic conditions of Ancient India," pp. 72-75.

17, 18 Rhys Davids : "Buddhist India" pp. 54-55.

the Epic period we first hear of the guild organization in India. Thus we see that crafts were already organized in guilds. But question has been raised whether vocations existed earlier than the period in question here. Santosh Kumar Das<sup>19</sup> raises the question whether in the Brahmanic period, that is in the latter part of Vedic period there existed industrial combinations called as "Craft-Guilds." Geldner and Roth find references to them in the Brahmanas but other Indologists hold different views. But Das says, "Metaphorical and indirect allusions to guilds made in order to explain abstruse philosophical subjects show that they are already wellknown within the range of common observation."<sup>20</sup> Further, regarding this discussion Dr. D. R. Bhandarkar says, "Gana in the sense of guild appears to have had Vedic precedents as was pointed out by Roth ... They are referred to in the Pamchavimsa Brahmana (VI. 9:25; xviii 5:120), Vajasaneya Samhita (XVI. 25) and Taittiriya Samhita (I. 8, 10) ... it appears that we had commercial ganas (*i.e.*, Srenis) first among the Vaishyas."<sup>21</sup>

Thus the existence of vocational organisations may be suspected in the Vedic period (3000-600 B. c.) and in the Epic period (post-Vedic age) we hear definitely about them. Again in the period when the Jatakas were written the merchants probably made combinations for trade purposes, and as the Jatakas say they combined in their amusements and they clubbed together (Guttala-Jataka, vol II : Mahavaija-Jataka, iv, p. 221).<sup>22</sup> In the age of Buddha (500 to 321 B. c.) the crafts seem to be localized. "The functions of these guilds were legislative, judicial and executive."<sup>23</sup> Das says, "Though normally the crafts were organized in a hereditary

19, 20, 23 "The Economic History of India" by S. K. Das, pp. 63-65, 65, 104, 106.

21 "Lecture on the Ancient History of India," pp. 169-170.

22 Jataka stories portraying Indian life of the time are depicted in the sculptures of Barhut.

basis and technical talent descended from father to son and was confined to particular family yet the way was still open to exceptions to that rule"<sup>24</sup> as various stories testify. But these stories "nevertheless they serve to show that in these time the division of caste was not quite right and was no bar to the mobility of labour both vertical and horizontal."<sup>25</sup>

Thus, in this age, we see well ordained industrial organisations. At the same time the trade may have been to a large extent hereditary (Jataka II, 287, III 198). Das says, "but the Merchant Guilds do not seem to have attained the same development as the Craft-guild."<sup>26</sup> But in the later Maurya Period (321-186 B. C.) we meet the organisations of the *Trader's League*.<sup>27</sup> The Buddhist monuments at Bhilsa Topes contain Inscriptions which give out the existence of following occupations : architect (No. 12), Washerman (No. 17), Sreshti or chief of trade (No. 23), Scribe (No. 48), Sreshti of Harbour (No. 87), grain-merchant (No. 100), Sreshti (or master) of the weavers and of Samgha (Association or League). The Inscriptions are ascribed to the age of Asoka.<sup>28</sup> Further Asokan Inscriptions from Sanchi speak of weaver, carpenter and Rajuka.<sup>29</sup> Again, in Barput Inscriptions of the Sunga period we find the name of a professional sculptor is recorded.<sup>30</sup>

In this way we find the vocations in the earliest period being identified with class-functions, later began to be grouped into organizations known in all parts of the globe as "Guilds." In this development of the society the old theoretical class

24 "The Economic History of India," by S. K. Das, pp. 63-65, 65, 104, 106.

25 "Cambridge History of India," vol I.

26 "The Economic History of India," by S. K. Das, p. 125.

27 The Inscriptions of the Asokan Age at Bhilsa Topes speak of the Sreshti of the Sea-ghat (i.e., the Harbour-master). Master of the weavers and of Samgha. vide Cunningham : "The Bhilsa Topes," pp. 248, 263, 268,

28 A. Cunningham : "The Bhilsa Topes," pp. 235-291.

29 G. Buehler in "Further Inscriptions from Sanchi," *Ep. Ind.* vol. II, p. 369.

30 B. M. Barua : "Barhut Inscription," p. 26.

differences existed and side by side occupational groupings began to be crystallized into guild-organizations.

A picture of the social condition of North-Eastern India at the time of Buddha has been given by Fick<sup>31</sup> in his "The Social Organization in North-East India in Buddha's Time." He says, "The existence of trade associations which grew partly for economical reasons ... partly for protecting the legal interest of their class, is surely to be traced to an early period of Indian Culture ... For the period depicted in the Jatakas themselves we can only speak with certainty of the presence of professional unions among the trading classes ... With the gradual development of trade relations, the significance and inner compactness of the guilds deepened, and being similar to the castes on account of traditional organization and the hereditariness of membership, they gradually got, in course of time, as certain rules and customs with reference to marriage and interdining were developed, the appearance of real castes, specially the Brahmana caste, till they finally became the modern trading castes." As regards the manufacturers, the same author says,<sup>32</sup> "As with the guilds of tradesmen so can we also in the case of the manufacturers, infer from the institutions of the elders (*jetthakas*) the presence of a certain organization...The three conditions mentioned: local division of different kinds of work, hereditary character of branches of profession and the existence of an elder seem to me to indicate clearly an organization of handicraft which can be compared in many respects to our corporations in the Middle Ages ... The more in the course of centuries the caste theory—even in Buddhist lands—obtained currency, the greater exclusiveness of, and respect for the leading castes the more did the manufacturers' corporations become incorporated in the caste order. After the example set by the nobility and the

Brahmanical caste, they surrounded themselves with the limitations by which a common bed and a common table were forbidden with members of castes who, on account of the lowness of their race, occupied a lower stage of human society than they themselves."<sup>33</sup>

Thus, in these guild organisations we find the "mixed castes" of Manu and other Dharmasastras. The "mixed castes" mentioned in the Dharmasastras are spoken of as *Srenis* (guilds) in the Inscriptions viz. "Chief of the architects" (C. I. I. vol. III. No. 26); Sreni (guild; *Ibid.* No. 18); "silk-cloth-weaving guild" (*Ibid.* No. 18); "guild of merchants" (Ep. Ind. vol. II. No. 18); "Tailik srenya" (guild of oilmen-C. I. I. vol. III. No. 16); "silk-weavers" (*Ibid.* No. 18); "guild of gardeners" (Ep. Ind. vol. II. No. 20). In conclusion Fick says, "Instead of four strictly isolated castes of the Brahmanical system and the mixed castes arising from their combinations we notice a number of essentially distinct social groups which in the majority of cases, cannot properly be called 'castes'<sup>34</sup> in which, however, we see the first germs and beginnings of an organization of the modern type. Later, in course of centuries, the *Jatis* "became modern castes."<sup>35</sup>

Thus the original classes in course of centuries broke up into professional guilds of the trading people and craft-guilds of the manufacturers.

Here a pertinent question can be asked about the upper two classes—Did they have class-originations of their own? It seems the Kshatriyas were not a big class. The Sanskrit Literature spoke of the Kshatriya *Kulas* (Clans) and each Kula claimed a common ancestry. In ancient Persian Language

<sup>33</sup> The same practice of copying the social rigour of the upper castes is being followed even to-day by the lower castes who thereby try to elevate themselves in the eyes of the former.

<sup>34</sup> According to Fick Sanskrit *Jati* is class.

<sup>35</sup> Fick, p. 336.

the word 'Kshatriya' is used for a king<sup>36</sup> and we would remember the title of Darius the Great—Kshattia Kshattiya-nam<sup>37</sup> (another reading—Kshayathia Kshayathianam) "king of the kings" pointing to the meaning of the words. The word is well remembered in the Sanskrit Literature. In the Rig Veda *Rajanya* (relative of the king) is to be found in the Purusha-Sukta (which is supposed to be of later interpolation) and the word "Kshatriya" is used in the sense of person belonging to a royal family, a nobleman.<sup>38</sup> In the Atharva Veda the word *Rajanya* is used; it means a descendant of a king.<sup>39</sup> Later evidences as gleaned from the Jatakas point to Khattiya (Pali corruption of Sanskrit Kshatriya) to be a nobleman. Fick says, "The Khattiyas of ancient times formed, in my opinion, like the Dynasties of princes in other lands, a class by themselves, a class with only this difference that it acquired in India to a greater extent than elsewhere the character of a caste or rather gradually acquired in course of time this character."<sup>40</sup>

Thus we see that the Kshatriyas or the Rajanyas formed themselves as the ruling class, and according to Hopkins the ruling class (he says caste) comprised the 'king', his great lords and vassals together with the knightly part of the army.<sup>41</sup> It seems they were the landowning class.<sup>42</sup>

36 J. J. S. Taraporewala: "Selections from Avesta and Old Persian," pt. I, p. 14.

37 The Jatakas texts use the word Khattiya. Kshatriya is Sanskrit and it seems old Persian also.

38 Muir: Sanskrit Texts, 12, 258.

39 Zimmer, p. 213.

40 Fick, p. 82. Did not the same exclusiveness evolved with the ruling class of the classical countries as well?

41 E. Hopkins: "The Social and Military Position of the Ruling Class in Ancient India," pp. 72—73.

42 In India the social group that in the course of development transforms itself into an influential landowning class inevitably claims to be Kshatriya. The present-day Bhuiahs of Chota Nagpur, Sonthal Pargannas, Orissa and Western Districts



Thus, the king, his relations and Knights who held the government in their own hands did not need any other special organization for the protection of their interests. The ruling clans with their vested interests formed a class by themselves.

As regards the organization of the Brahman class it seems it did not exist. It is evident that originally there were limited number of Brahmans. The original Brahmanical *gotras* were few, perhaps men from limited number of families were made priests. A story in the Sathapatha Brahmana (XII, 6. 138-41) clearly expressed it. "Now as to the meaning of these (formulas). Vasistha knew the Virag : Indra coveted it ... Rishi then taught Indra that Virag ... And formerly, indeed the Vasishthas alone knew these utterances, whence formerly only one of the Vasistha family became *Brahman* ; but since now-a-days anybody may study them, anybody (may) now become Brahman."<sup>43</sup>

In the contemporary period of Buddha, we find that a man becomes Brahman by birth. But as Fick says "Of course the exclusiveness of the Brahman caste exists only in idea. The great mass of Brahmāns spreads over the whole of Northern India in Buddhist time, does not constitute a well organized body with a chief and a council. Brahman caste consisted in extremely parti-coloured society and was anything but a body of priests who studied or taught the Vedas and offered sacrifices to the gods. ... With the Brahman agriculturists, merchants, hunters and carpenters we leave the solitary height

of Bengal, who were acknowledged to be the aboriginal tribes are claiming in the same way to be the same. The old Bengalee adage of ridicule against the Pala Dynasty of Bengal says by "Becoming landowner, one calls himself a Kshatra and everywhere proclaims himself to be a Rajanya (*vide*—D. C. Sen's History of Bengalee Literature)."

upon which is enthroned the Brahman, who is raised according to his own theory, above all other members of society and descend to the motley groups of people where the care for material existence drives out all spiritual interests and throws into shade the question relating to birth and caste."<sup>44</sup>

Thus instead of finding the Brahmans as well organized and economically exclusive group of people as we see in the guilds we find them following diverse occupations,<sup>45</sup> as depicted in "*Dasa-Brahmana Jataka*."<sup>46</sup>

Then we come to the Maurya period (321-185 B. C.). It seems in this Imperial period the process of guild formation developed further.<sup>47</sup> In this period we hear of a class of Kshatriya guilds from Kautilya, the reputed author of *Arthashastra*. He speaks of Kamboja-Surashtra-Kshatriya *Srenyadayo-vartha-Sastropajivinah Samgha*.<sup>48</sup> These lived upon both war

44 Fick, pp. 180-247.

45 But R. Mazumder cites evidence on the contrary and says, "The passage in *Kausitaki* 55 thus gives a probable clue to the basis of corporation which we have been trying to discover. It is the knowledge and department requisites for priestly function and the Brahman society in these days may thus be said to be a guild of priests ... One could be initiated into this guild of priests only after an approved term of apprenticeship with a master. This is expressly acknowledged by the *Sutra* writers (See—*Apasthamba*, S. B. E., II, p. 3) ... 'guild of priests' converted into 'Brahman caste' (pp. 339-340). The apprenticeship in the guild of priests reminds us of similar organization amongst the Babylonian priesthood.

This state of things may have existed in the Vedic and early post-Vedic period. But in the period of Buddha we see the members of the Brahman class widely scattered over and following multifarious professions as shown by Fick. Mazumder's citations do not prove that there have been a closed guild organization of the Brahmans like the other guilds acknowledged by the state as such.

46 In this *Jataka* some of the works especially done by castes nowadays known as "untouchables" like *Nishada*, etc, used to be done by the Brahmans such as the castration of the animals, butchery, hunter's work.

47 Kautilya's "*Arthashastra*," tr. by S. Sastry, p. 69.

48 *Arthashastra*, p. 376.

and trade.<sup>49</sup> These guilds of Kshatriyas who lived both on trade, agricultural and military profession were to be found in Surashtra (in modern Guzerat) and in Kamboja (Hindukush region ?).

It is evident from the ancient literature that all of the Kshatriya class were not organized into clans under chieftains and formed landed nobility of the country.

As early as in the Atharva Veda (v. 18, 10) we hear of a non-monarchical oligarchical or republican Kshatriya clan of the Vitahavyas.<sup>50</sup>

Then, in the contemporary time of Buddha we hear of the Vajjian confederacy<sup>51</sup> in the northern part of modern Bihar. This was composed of the non-monarchical anti-Brahmanical Kshatriya clans like the Licchavis, Mallas, etc. Again, still later, we hear of Yaudheya and the Malava Republican Kshatriya clans who were finally crushed by Gupta Imperialism.<sup>52</sup> Mazumder thinks that they were in the category of *Ayudhajibisamgha* (a corporation of military men) mentioned by Panini (V. 8.117).<sup>53</sup>

Lastly, we come to enquire about the Sudra class. We have no distinct record of any economic organization amongst the class, unless the craft-guilds as organizations of the manufacturers and hand workers<sup>54</sup> made claim in the Sudra community

49 R. C. Mazumder's "Corporate Life in Ancient India," p. 29.

50 R. C. Mazumder, p. 223.

51 B. C. Law : "Kshatriya Clans in Buddhist India."

52 K. P. Jayawal : "History of India, 150 A.D. to 350 A.D." in the *Journal of Bihar and Orissa Research Society*." The Yaudheyas were organized in "Gana" (*vide* C. I. I., vol iii, no. 58) and the Malava "Gana" is mentioned in the Mandasar Stone Inscriptions of Kumaragupta, line 19. no. 18, C. I. I., vol. iii, p. 83.

53 R. C. Mazumder, p. 223.

54 Mazumder says, "It is just possible that the *uttedhajivinah* denoted a corporation of day-labourers of various descriptions," p. 223.

for the recruitment of their membership.<sup>55</sup> It is true that many of the castes, *viz.*, carpenter, barber, weaver, sculptor, agriculturist and pastoral castes belonging to the Sudra class once belonged to the *vis*. We see in the Vedic literature that the *Sudraryau*<sup>56</sup> *i.e.*, the Sudra and Aryas (Vaishyas) worked together in economic field ; hence they were enumerated together, but it seems that in the period of Harshavardhana there was a shifting of the profession.<sup>57</sup> Then in the modern time we find the castes labelled as Sudra have the same Guild organizational system as the Vaishya. Hence it is not improbable the Sudra class followed the same economic organizational system and rules as the Vaishyas with whom they were so long united.

Below the Sudras, Fick enumerates many casteless professions some of which in later times developed into castes as mentioned by Manu, and the despised castes who followed very low professions such as "that of making baskets from willows and bamboos, plaiting and weaving, the manufacturers of leathers and earthen vessels."<sup>58</sup>

Thus we see lower is the profession of a group, the lower is its social rank.

55 Some of the guilds mentioned in the Inscriptions have today transformed themselves as castes and are regarded as belonging to the Sudra order. Were they originally organized from the same Varna ?

56 Zimmer, p. 215.

57 S. K. Das : "The Economic History of Ancient India," pp. 298-290.

58 Fick. 298-325.

## CHAPTER VI

### Guild and Corporate Systems in Ancient India

We have seen that organisations to protect the interests and to defend the rights of the trading and producing peoples existed in ancient India. These were similar in functions with the similar organisations of classical and mediaeval Europe. Thus the organisational system known as guild (*sreni*) existed in India as well. But before we enquire into the condition of inner working of the guilds in India, we would see how they functioned in other countries.

In Asia Minor the guild system existed from time immemorial. The producing and the working people living on the Anatolian plateau were organised in the brotherhoods of guilds and phratries. Some of them like the *Semiaphoroi* (standard-bearers) were perhaps "a class of professional wonderworkers, like the *dervishes* in modern Moslem countries."<sup>1</sup> Just like the other unions the Standard-bearers united themselves with a guild for the worship of a god or a goddess. "They lingered to the end of Paganism on the great estates of the Roman Emperors. ... The peasants were literally the *pagani*. They constituted a sort of trade-guilds according to their kind of work."<sup>2</sup> It seems that this guild system remained in Anatolia even in modern Turkish period of her history. The investigator says, "Down to 1880-1893 it was literally true that the porters come from one remote district to make money in Smyrna or Constantinople, the confectioners from another, and so on. The old members of the guild passed on their knowledge and their trading connection to their friends and

1, 2 Sir W. M. Ramsay: "Asiatic Elements in Greek Civilization." pp. 192-193.

relations ... The head of the guild in each case directed the operation of all, and laid down the rules. No one could work against his will and authorisation ... Such was the case when I knew modern Turkey ; but great changes have occurred during fifty years.”<sup>3</sup>

Then we come to classical Greece. There we hear of religious union or brotherhood (Thaakoi) of the ancient Athenian phratries. The unions of the Orphic movement, the brotherhood of the Pythagorians were unthinkable without such associations. It seems the guild system in the proper sense of the term did not develop, though individual trades had their gods as their protectors.<sup>4</sup> But we hear of various corporations that were probably introduced by Solonian Law. We hear of the trading companies *i.e.*, the unions of common trading business, even unions to take meals in common.<sup>5</sup> It seems a real guild system could not develop in Hellenic countries because as Ramsay says, “The Greek or Hellenistic cities were organised according to the rights of the individual and regarded trade-unions and fraternities generally with suspicion and even hostility.”<sup>6</sup> In the Roman period, the Roman emperors also, would not even permit a guild of firemen to be formed, lest it should develop into a political danger to the State and the one lawful unity of the emperor.”<sup>7</sup> But, “where however the original Anatolian system prevailed, the phratries flourished ; and they have been transmitted through the Seljuk Turks to the Ottoman Turks in the form described.”<sup>8</sup>

Coming to Rome “we find the craftsmen of the town forming themselves into guilds not only for the protection of their trade

3 Sir W. M. Ramsay : “Asiatic Elements in Greek Civilization.” pp. 192-193.

4 Wilamowitz-Mollendorf and Niese—“Staat und Gesellschaft der Griechen und Römer,” Teil, II. Abt. IV., p. 51.

5 G. F. Schoemann : “Griechische Altertümer.” Fourth Ed. p. 382.

6, 7, 8 Ramsay, *op. cit.*, 192-193.

but from a natural instinct of association and providing these *guilds*, of the model of the older groups of family and gens, with a religious centre and a patron deity. The guilds (*collegia*) of Roman craftsmen were attributed to Numa ... they included association of weavers, fullers, dyers, shoe makers, doctors, teachers, painters etc. (Plutarch, Numa, 17 ; Ovid, *Fasti*, iii, 819 foll.) and were mainly devoted to Minerva as a deity of handiwork."<sup>9</sup> Thus Carter says, "The society that witnessed the coming of Minerva from Etruria ... little knew that in her temple on the Aventine was being brought to expression the trade union idea."<sup>10</sup> But these *Collegia opificum* passed out of the sight till in the later period of the Roman republic "they re-appear in the age of Cicero in a very different form as clubs used for political purposes, but composed still of the lower stratum of the free population (*Collegia Sodalicia*)."<sup>11</sup> The history and causes of their disappearance and metamorphosis are lost to us ; but it is not hard to guess that the main cause is to be found in the great economic changes that followed the Hannibalic war."<sup>12</sup>

But in the period of the empire we have already seen that the fraternities of the Standard-bearers introduced from the East existed in the great estates of the emperors, and the Pagani, *i e.*, the peasants formed a kind of trade-guilds according to their kind of work. But as already stated above, the Roman emperors and their officials did not permit any other organisation other than the imperial system. But in conjunction with the original Anatolian system the unions existed under a guise till modern time. Thus it is evident they were influenced by the eastern system.<sup>13</sup>

9 W. Warde Fowler : "Social Life at Rome." p. 46.

10 J. B. Carter : "The Religion of Numa," p. 48.

11 Marquardt ; "Staatsverwaltung," III, p. 88.

12 Fowler, *op. cit.*, p. 46.

13 *Ide*—Buckler : "Anatolian Studies," edited by Buckler and Calder.

Now we come to Mediaeval Europe, the classical land of the Guild system. "The oldest reliable and detailed accounts which we have of Guilds come from England. ... The northern historians, in answer to the questions, whence the guilds sprang, refer above to the feasts of the German tribes from Scandinavia, which were first called Gilds, for "Gilds" meant originally the sacrificial meal made up of the common contributions, then a sacrificial banquet in general; and lastly a society. When in later times Christianity<sup>14</sup> spread itself in the North, the sacrificial banquets, with all their customs and ceremonies, remained in existence and Christ, the Virgin Mary, and other saints, stepped into the place of Odin and the rest of the gods."<sup>15</sup>

Thus so far the origin of the Guild system. In the course of the evolution of the system, it was divided according to nature and function into Religious or Social guilds, Town-guilds or Guild-merchants, Craft-guilds. Brentano says, the fraternities known as the religious guilds existed originally among the clergy. In later times laymen too took part in them ... The wives of laymen were however excluded from the meetings till the year 1422. In this year the Gildbook (Guild of Flenburg) narrates, the ecclesiastical brothers were moved by the prayers of the lay brothers, repeated for several years to grant the admission of their wives to the meals after the general meetings ... The laymen however, always remained in a subordinate position. At the meals they had seats separate from those of the priests ... and in the deliberations the laymen had no vote. As among the other religious Gilds, there were special ones for various classes and ranks, so there existed also Gilds for the higher and lower clergy, the so-called Major and Minor Gilds of the Kalenders. The reformation shook the

14 Wilda: "Das Gildenwesen in Mittelalter," p. 5.

15 L. Brentano: "On the History and Development of Gilds and Origin of Trade Unions," ch. I.



whole system of Gilds to its foundations ; and this was specially the case with the Religious Gilds of the laity and the Gilds of Kalender."<sup>16</sup>

Then we come to the Town Guilds or the Guild-merchants, with them "gradually some system of hereditary transmission of the freedom of the Gild came into existence *defacto*, in that the son generally entered the fraternity to which his father belonged : the sons of Gild-brothers were naturally more willingly accepted than other new members, and later on the conditions of entry were rendered more easy for them. Thus originated a certain circle of families which from generation to generation belonged to the highest Gild, and continuously constituted its stock. The oldest Gild remained no longer equivalent to the whole body of citizens ; the Full-burghers Gild became the old burghers Gild, and according to place and time, its development became more or less aristocratic."<sup>17</sup>

These Merchant-Gilds though consisted mainly of merchants, "yet from the first, craftsmen as such were not excluded from them on principle, if only such craftsmen possessed the full citizenship of the town, ... the strict separation which existed between the merchants and the crafts probably arose only by degrees. ... The growth of wealth and of the members of the people necessarily called forth greater division of labour ; the full citizens having become rich, only carried on trade, whilst the handicraft<sup>18</sup> was left exclusively to the poor and unfree."<sup>19</sup>

"The accumulation of riches helped to widen this ever-increasing breach between the feeling and the interest of the different classes. ... Idleness became a matter of rank and of

16 *Ibid.*, *op. cit.*

17 Brentano, pp. xcvi, cvii.

18 Wilda : "Das Gildenwesen in Mittelalter," pp. 78, 78 ; W. Arnold : *Verfassungsgeschichte der deutschen Freistaette* vol. II, p. 246.

19 Brentano, *op. cit.*

honour.<sup>20</sup> ... Even the laws of the land make the distinction between the patrician and the man without hearth and honour, who lives by his labour, and the former might with impunity box the ears of the latter for not showing him sufficient respect.<sup>21</sup> ... Besides this, the law was partially administered, or redress entirely refused to the unprivileged.<sup>22</sup> As a result of this class oppression in the thirteenth century, the most violent struggles broke out between the craftsmen, united in the most brotherly way into crafts Gilds, and the hated patricians. ... Towards the end of the fourteenth century the victory was almost everywhere on the side of the crafts-Gilds. Their idea was that of equality of political rights and of justice. ... The craftsmen did not, however, in the long run remain at the head of the town ; but the political equality which their efforts had obtained was maintained in principle, the old Gild constitution was replaced by that of the "Commune."<sup>23</sup>

Now we come to enquire about the last form of Gild organisation—the crafts-Gilds. Brentano says, "the origin of the craft-Gilds has been the subject of considerable controversy ... the craft-Gilds as Wilda says "originated in the freedom of the handicraft."<sup>24</sup> ... The population of the towns, at least of those on the continent, consisted, as late as the eleventh century, of officials, old and freemen and, bondsmen. To the last belonged the greater part of the handicraftsmen, who obliged to pay certain taxes and to perform certain feudal services and labours for their lords, were subjected to officers appointed by them. But besides, there were free handicraftsmen, who in earlier times probably belonged to the body of the full citizens ...

20 Arnold, vol. ii, p. 195 ; Wilda p. 201.

21 Moke : "Moeurs usages, Fetes et Solemnite's des Belges," II. p. 115.

22, 23 Brentano, cix—cx ; cxi.

24 Wilda, p. 307.

the citizens endeavoured to suppress the handicraftmen into a kind of subjection. ... Although the crafts-Gilds arose first among the most eminent of the handicraft class among those who were free ... yet this new organization was also made use of by the lower members of their class as a means of elevation."<sup>25</sup>

Regarding the further evolution of the crafts-Gilds, the same author says, "We must not forget that these Gilds were not unions of labourers in the present sense of the word, but of persons who, with the help of some stocks carried on their craft on their own account. The Gild contests were, consequently, not contests for acquiring political equality for labour and property, but for the recognition of political equality of trade stock and real property in the towns. These contests, therefore, nowhere led to a participation of the masses in the Government, but in the place of an oligarchy of landed proprietors, an oligarchy of capitalists stepped in."<sup>26</sup> In proportion as trade advanced and acquired wider markets, it afforded greater opportunities for the employment of capital; and in proportion the crafts-Gild changed from a society for the protection of labour into an opportunity for the investment of capital. But at the same time this rise in the money power of the Gilds ... drew the villeins in masses into the towns and into the trades.<sup>27</sup> ... Concern for the productiveness of their investments aroused the spirit of monopoly in the craftsmen, and called forth a multitude of restrictions on the competition of a few aspiring families. The capitalist character of the Gild became preponderant ... even where the practice of inheriting the freedom of the Gilds had not been established by the Gild-Statutes ... the freedom became practically hereditary on account of the difficulty of complying

<sup>25</sup> Brentano, p. cxvii.

<sup>26</sup> Arnold, vol. ii, p. 292.

<sup>27</sup> To compare Eden : "State of the Poor."

with the conditions for entrance. ... Whole classes of persons were denied admission, as in Germany, all born out of wedlock, the sons of peasants, etc. ... In England also legitimate birth was requisite of admission ... In short, in the fourteenth century commenced the transformation of the trades into entails of a limited number of families. ... Sometimes the richer craftsmen withdrew from their poorer brethren into separate Gilds, as for instance, the shoe-makers from the cobblers, the tanners from the shoemakers."<sup>28</sup>

This was the condition of the Gild system of the Middle Ages in Europe. In this Gild system we see there had been differences of classes and at first the religious Gilds forbade commensality<sup>29</sup> between the priests and the laymen. At the beginning, women were shut off from the Gild meetings.<sup>30</sup> Wilda says the Kalendar Gilds (Kalendsbruederschaften) were built<sup>31</sup> originally only by the clergymen, later they found it advantageous for them to shove in the laymen; but till 1422 A.D. the wives of the laymen were excluded from the meetings. Later at the repeated requests of the laymen their wives were permitted to join the feasts on the conditions that they provide the meals and wait on them in those occasions. Again in the St. Johannis-Kalendar Gild which was formed in 1334 A.D. by an equal number of priests and laymen, the latter had to sit at a separate table during the feast.<sup>32</sup> In the Nord-strander Marien Kalendar Gild in which priests, laymen and women of good fame were taken, the laymen had no right to vote. At the dinner table they had separate

28 Brentano : pp. cxxxvii—cxxxix.

29 W. E. Wilda : "Das Gildewesen in Mittelalter" pp 359.

30 Compare the rule of excluding the Brahman women even from the sacrifices.

31 W. E. Wilda : *op. cit.*

32 Compare the forbiddance of the commensality between the Brahmans and the Sudras.

seats. The arguments was given that at the table of the priests, the word of the holy lesson was to be read and the things they build were to be examined ; this requires a decent silence, also the affairs of the priestly class<sup>33</sup> were to be discussed.<sup>34</sup>

As regards the organisation of a Guild of the Middle Ages, it is to be noticed that each Guild was a religious unit. Each Guild had a saint as a patron.<sup>35</sup>

Thus it is seen that in the Middle Ages in Europe, the people conducted their life's vocations together, the common professions were organized into unions and the handling of their professions were regarded as the affairs of the unions. As a result, the whole people was organized into professional Guilds and they were separated from each other according to their rank in life.

Now let us enquire into the working of the guild system in India. It has already been said that discussion has been raised whether guild-system existed in India in the Vedic period. In subsequent periods we find the guilds playing their parts in India, and they were acknowledged as a military power and a support (*srenibala*) of the states, and their importance was acknowledged in the Epic. Jolly says, the particular jurisdiction of the corporation of any sort is completely acknowledged in the *Smriti* law books. The right of the peasants, trading peoples, money-lenders, members of a religious sect, players, handicraftsmen, etc. to organise themselves in unions and to decide their quarrels, was fully acknowledged. The king was especially recommended to acknowledge and to confirm the decisions arrived at by the administration of

33 Compare the grounds for which the Sudras were shut out from the sacrifices as it is alleged even from the Vedic period.

34 W. E. Wilda : *op. cit.*, pp. 359-860.

35 Otto Gierke : "Das deutsche Genossenschaftsrecht," p. 885.

a family, of a guild or a corporation ; only when a dispute breaks out between the administration and their subordinates, then the king would interpose, besides also in the case of a heavy crime.<sup>36</sup>

As the legitimate organ of the Guild appears the elected or nominated administrator or president (*Mahamatta*) with a committee of three or five men (Brh. 179)

In the period following the birth of Buddha (600-321 B.C.) we see the Guilds had legislative, judicial and executive functions to perform. At this time the crafts were organised on a hereditary basis and technical knowledge was made monopoly of a particular family and it was also made hereditary, yet way remained open for the exceptions of the rule.<sup>37</sup> In these times "the division of castes was not quite rigid and was no bar to the mobility of the labour, both vertical and horizontal."<sup>38</sup> In this age, the trade of the traders seems to have been hereditary (Jat. II, 287 ; III, 198). But it seems that merchant guilds did not arrive at the same stage of development as the craft guilds.<sup>39</sup>

Coming to the Maurya Period<sup>40</sup> (321-186 B. C.) we see the crafts were organised into guilds and the guilds of workmen were granted various concessions by the state (Kautilya, 185). The Superintendent of accounts of the state "had regularly to enter in prescribed registers the history of customs, professions and transactions of the Corporation (Arthashastra, p. 69)."<sup>41</sup>

In the Andhra-Kushan<sup>42</sup> Period (200-300 A. D.), we find

36 Jolly : "Recht und Sitte" ; pp. 135-136.

37 S. K. Das : "The Economic History of Ancient India," p. 106.

38 "Cambridge History of India," vol. I.

39 41 S. K. Das *op. cit.*, pp. 125, 155.

40 *Vide*—Cunningham : "The Bhilsa Topes."

42 Regarding the guild system of the Age of the Andhravritayas, *vide*—Ep. Ind., vol. VIII, no. 8. "The Inscriptions in the caves at Nasik." It speaks of the 'guild of

most of the arts and craft-guilds, organised into guilds and in the south in the period of the Andhravriityas there existed guilds as those of weavers, druggists, corn-dealers, manufacturers of oil, etc.<sup>43</sup> In the subsequent Gupta period<sup>44</sup> (320-500 A. D.) "Evidences of Yajnyavalkya, Narada, and Vishnu"<sup>45</sup> tend to prove conclusively that the guilds were not only recognized as a part of the state fabric but also their authority was upheld by that of the state. ... These guilds also possessed judicial authority over its members. The following passage from Sukra seems, however, to show that the guild also formed part of the ordinary tribunals of the country. "The Kula (family) Sreni (Guilds) and Ganas (republican communities) are the three successive higher organisations of self-adjudication. When and where these fail, the King with his officers is to interfere (Sukra, ch. IV., sec. 5-11, 58-60)." In this period we hear "guild of oilmen," 'guild of silk-weavers' and possibly of architects.

In the period that according to Jayaswal<sup>46</sup> synchronises with the appearance of Narada, Vrihaspati in his *Smriti* gives a detailed account of the inner working of a guild organisation. He says, "Mutual confidence having first being established by means of (the ordeal) sacred libation, by a stipulation in writing,

oil-millers' and guild of workers fabricating hydraulic engines, waterclocks or others" p. 89.

Regarding the Kushan Period, *vide*—Ep. Ind., vol. XXI. no. 10. "Mathura Brahmi Inscription of the year 28." It mentions two *srenis* or guilds, the latter of which was called *Samitakara-sreni* (probably the makers of wheat flour), p. 58.

43 R. G. Bhandarkar: "Early History of the Deccan," pp. 75-76.

44 Regarding the Guilds in the Gupta Period, *vide*—C. I. I., vol. III, no. 16 which speaks of guild of oilmen (*Tailik srenya*) p. 71; No. 18 speaks of guild of silk-weavers (pp. 80-83) In no. 26 a chief of architects (*sthapati-samraj*) is mentioned (p. 120).

45 Important Smriti text authors. Their age is supposed to be between first and fourth century after Christ, *vide*—Kane and Jayaswal.

46 *Vide* Jayaswal: Manu and Yajnavalkya."

or by umpires, they shall set about their work (xvii. 7)." Then he says, "The executive of the guild was to consist of a President assisted by two, three or five officers. They are to be selected from persons who are honest, acquainted with the Vedas and their duty, sprung from noble families and skilled in every business (xvii, 9). These executive officers could deal with an offending member in whatever way they liked beginning from mild censure up to expulsion (xvii, 17)." Yet "the democratic element was quite a distinguishing feature of the guild organisations of the period. The executive officers were ultimately responsible to the assembly of the guild and that when the assembly found itself unable to bring them to book, the king should step in."<sup>47</sup> Vrihaspati speaks likewise (xvii., 20).

In the subsequent period of Harshavardhana (600-647 A. D.), the occupation of the Vaishyas underwent a change. "Agriculture and cattle-breeding had ceased to be the occupation of the Vaishyas and had now become the occupation of the Sudras ; so that the Vaishyas were now only traders. The spread of Buddhist sentiment (especially under Harsha) with its aversion to the taking of life must be held responsible for this change of occupation ... a prohibition also noticed in Manu. These classes hence withdrew from agriculture and left it in the hands of the Sudras."<sup>48</sup> It may be possible that the break between what was functioning in India as the merchant-guilds and the craft-guilds took place in this age when the Vaishyas became traders and left off cultivation and cattle-breeding. The break between the two sorts of guilds would naturally take place ; the "Sudraryau" that is the Arya (Vaishya) and the Sudra would part in their ways. Vrihaspati's description of the inner working of a guild would give evidence to our supposition. When he says that the executive of a guild would be appointed from the noble family who are acquainted with the Vedas and skilled in every



business, then he shuts out the Sudras from his list of executive officers. It is probable that the Vaishyas by becoming rich through merchandise gave up the humbler works and were elevated in their social status, and as such began to capture the guilds; otherwise Vrihaspati would not speak of a *Dwija* and sprung from noble family, as a fit candidate for the executive. At the same time we must remember that Harsha was a Vaishya himself. That was the period when the Vaishyas became the ruling class. The further splitting up of the guild organisation on the strength of wealth seems to have taken place also in the craft guilds, for we now-a-days see in the Panjab the wine-selling caste (*Soondi*) is separated from the wine-distilling caste; likewise in Bengal the tanners (*rishi*) do not intermarry with the cobblers (*muchi*), the cultivating Kaivartas have separated themselves from the fishing Kaivartas, the oil-selling Telis have separated themselves from the oil-pressing Kalus and have changed their names to Tili! In all these cases the more prosperous groups have formed castes of their own.<sup>49</sup>

After the death of Harshavardhana political unity was destroyed in North India. Rival states began to fight with each other and with the rise of the Rajputs, the same trend continued in Indian history. At this period Indian society underwent great changes, Buddhism was giving place to Brahmanism, and the foundation of the present-day India was laid in that age, which may be called the mediaeval period of Indian history. It is not our task here to uplift the veil that hangs over that age but we find that the guild system was still in existence in that period.<sup>50</sup>

49 Compare the separation of the merchant-guilds and craft-guilds of Mediaeval Europe with the Indian ones.

50 In the eighth century A. D. in the South we find a Rashtrakuta inscription mentioning the guild of the weavers. *vide*—Ep. Ind., vol. vi, no. 16. "Some Records of the Rashtrakuta kings of Malkhed" (c. pp. 165-166).

Even in the latest part of the Hindu period in the North (early twelfth century) the system was in vogue.<sup>51</sup> But after the Mohammedan invasion we do not hear of the guilds as such, but hear of castes, with their subdivisions instead ! Of course in the Mohammedan and post-Mohammedan ages in India though we don't hear of the guild organisation but we still hear of the caste meetings (Panchayets)<sup>52</sup> and caste rules amongst some of the castes situated in the lower ranks in the society. Even a short time ago, the weaver caste (*tantubai*) of Bengal had their caste-leader called Chai (Head) who used to be consulted in all social matters. But the civilisation introduced by the British rule is changing fast the condition of the Indian society, Industrialism is introducing new associations and new institutions in its trains, and the remembrances of the guild-institution is fast being forgotten.

Another important fact is to be mentioned here that each guild has got a patron deity for its protector. Its remembrance still persists in the traditions and rites of some of the castes. Thus the Gandha-baniks of Bengal still worship the Gandheswari goddess as their patron deity, the Karmakaras worship Viswakarma, the divine architect as their patron god ; and in Southern India several castes have their patron deities likewise. Again, the Kayastha caste regards Chitrakupta, the secretary of

51 "The Deopara Inscription of Vijayasena" of Bengal speaks of the "crest-Jewel of the guild of artisans of Varendra," and his "Barrackpur plate inscription" speaks of "Mahagana-stha" (the head of a village or town corporation) *vide*, 'Inscriptions of Bengal' vol iii, verse 36.

52 The caste Panchayet with its rules got such a strong hold in the Indian mind that those Indians who have become converts to Islam follow the system like the Hindus. Thus Gait says (Hasting's Encyclopædia, vol 6, p. 239), "The Mohammedans themselves recognize two main social divisions : ashraf and ajlaf or common people. The latter term comprises all local converts of low origin, including most of the sheiks, and the various functional groups. These functional groups have Panchayets who manage their affairs and who in many parts, exercise almost as rigorous a control as the managing body of a Hindu caste."

the god Yama of the Nether world to be their ancestor. The different tribes of the Kayasthas living in the Gangetic valley trace their descent from him. It seems, he is the hero-eponym of the Kayastha caste ; perhaps originally he had been the patron deity of the scribes or writers' guild or corporation. In the same way, all the artisan classes, according to Brahmapurāṇa seemed to have a common ancestor in the divine architect Viswakarma. Thus the Purāṇa says (Brahma Khanda 10, ch. 89—95), "The nine sons of Viswakarma viz Malakar (garlandar), Karmakar (Mechanic), Kansakar (bell-metal worker) Sankhyakar (Sea-shell worker), Tantubai (weaver) Kumbhakar (potter), Satradhar (carpenter), Swarnakar (goldsmith), and Chitrakar (painter) became efficient in skilled works. Later on the Goldsmith, the Carpenter and the Painter, were degraded by a curse from Brahma." It is a story which euphemistically speaks of the guilds of the skilled workers having a common patron deity who in the course of time like other guild deities became the hero eponym of the members of the craft guilds.

Besides, tracing the fortune of the Indian guild system, we find epigraphic testimonies of other kinds of corporations existing in South India. These were known as town-committees, village committees and trading corporations.

In an inscription on the walls of the temple at Ukkal, inscribed in the reign of the Chola king Rajaraja I, ruling in the 10th century A.D. we find an *assembly (Sabha) of the village* is mentioned.<sup>53</sup> Again another inscription inscribed in the reign of Raja Kesarivarman the same fact is mentioned.<sup>54</sup> Also in the reign of the same king a guild organisation is mentioned.<sup>55</sup> Another interesting inscription of the tenth century A.D. inscribed in the reign of King Parantaka I, of the Chola

53 South Indian Inscriptions, vol. iii. pt. 1, no. 2.

54 *Ibid.*, no. 4.

55 'South Indian Inscriptions,' vol III pt iii. no 91.

dynasty, thus speaks of the different departments of a great assembly of a village: the ward-committee, the garden-committee, the fields-committee, the north-fields (*vada-kalani*) committee, the Tanks-committee.<sup>56</sup> Again, in the inscription no. 110 it says, "If we fail (to act according to this decision) we the members of the assembly shall ourselves pay a fine of hundred kalanju of gold." It seems this implies, that the members of the village assembly were responsible for all transactions of the village.

Besides these, there was assembly, to regulate temple affairs (*srikaryam*) mentioned in inscription no. 124. In the Kerala country in the twelfth century A.D. temple administration was completely in the hands of yogams (corporations).<sup>57</sup> Further the Kottayan plate of Vira Raghava which must have been inscribed after fifteenth century A.D. the title of *moni-gramam* was conferred on a merchant who according to the epigraphist V. Kankayya might have been a christian by religion.<sup>58</sup> Similarly the title of *Anjuvannam* was conferred in the Cochin Plates on a Jew named Joseph (Yusuf) Rabbon.<sup>59</sup> The old Malayalam work 'Payyanur Pattola'<sup>60</sup> refers these two terms. The epigraphist says, the context implies that these were trading institutions.<sup>61</sup> Further he says that it appears that Anju and Moni were semi-independent trading corporations like the Valanjiyar.<sup>62</sup> In different Tamil and Kanarese inscriptions from Ceylon and South-India the latter term denotes various classes of merchants which composed the corporation of guild. The most interesting news from these inscriptions are that in these merchant corporations a Jew and possibly

56 *Ibid.*, no. 99.

57 '*Malabar Quarterly Review*' vol. 8, p. 110.

58 *Ep. Ind.*, vol iv. no 41.

59 *Ibid.*, vol. iii. p. 67.

60 Dr. Gundert, *Madras Journal*, vol. xiii. pt. ii pp. 14-17.

61, 62 *Ep. Ind.*, vol iv. no. 41 pp. 293-294.

a Christian had been taken as members. But we see here that these guilds on account of their heterogeneous composition did not degenerate into castes.

Finally, the inner organisational system of a village-committee is to be discerned in the Malkapuram stone-pillar inscription of Rudradeva<sup>63</sup> of thirteenth century A. D. (Saka year 1183). It says that the Kakatia king Ganapatideva and his daughter queen Rudumba gave away two villages to the spiritual Guru Vishweswara Shiva. The latter amalgamated these two villages and converted them into an *agrahara* (temple property); and established a monastery, a choultry for feeding all classes of peoples, a general hospital (*arogyasala*), a maternity home (*prasutisala*), and a college for imparting knowledge of different branches of Sanskrit learning. The village had a physician and accountant (*Kayastha*), six Brahman servants for the Choultry and the monastery. Ten persons bearing the designations *vairabhas* were appointed as guardians of the village (*gramasya rakshakah*), they were also to inflict punishment awarded by law for certain heinous offences. Besides, there was a staff of twenty Viramushtis as peons (*Bhatah*). The village was also provided with a set of ten artisans. In this Agrahara Vishweswara Shiva retained the power of supreme control of the whole establishment for himself.<sup>64</sup> In another inscription<sup>65</sup> of the tenth century A. D. of the Chola epoch we hear of a city corporation and its president. Also in the Hathigumpha inscription of Kharavela, the over-lord of Kalinga, we hear of city corporation and realm corporation.<sup>66</sup> Again, in the post-Pala period of Bengal (*circa* twelfth century) we hear of the "Mahaganastha" being mentioned in the inscriptions of the

63, 64 J. R. Pantalu in the journal of the Andhra Historical Research society, vol. iv, 1920 pp. 148-154.

65 South Indian Inscriptions, vol iii. pt. no 128 ; p. 267.

66 Ep. Ind., vol xx, pp. 77-86.

Chandra and Sena kings. The word probably means "The head of a village or town Corporation." It implies that down to the last days of the Hindu rule in Bengal village or town organisation did exist.<sup>67</sup>

Thus we come to the end of our enquiry regarding the Trade guild system in ancient India. In the evolution of the system we find that originally it was a grouping of the persons following the same profession, then occupation and craft become hereditary in the families, later the group following hereditary avocation formed a monopoly of its trade by making the guild a closed corporation. This in the course of time developing certain rules and customs regarding the conduct of the guild, marriage and interdining being influenced by the pre-existing notions of Taboo prohibitions and belief in "*mana*" spirit, which took exaggerated forms in this age, must have incrustated the closed corporation or the guild into a modern caste forbidding commensality and connubium with others. Possibly with the Mohammedan<sup>68</sup> invasion or through the latter-day development of Native despotism the guilds were truncated of their committees or councils as the alien rulers and the Indian despots did not accept the self-governing position of these corporations, hence, losing their functions the structures of the guilds became immobile and ossified, and the result is the modern caste with their various subdivisions. This alone explains the origins of the professional and functional castes that are to be found in India which were misnamed in the *Smritis* as "mixed castes." Finally, class-conflicts in the society determined the status of the social group thus formed. This status again changed according to the influence it exerted on the body-politic of the society.

67 N. G. Mazumdar : *Inscriptions of Bengal*, vol. iii, nos. 2, 6-11.

68 That the Mohammedan conquerors were opposed to self-government of the Hindus has been attested by some modern research scholars who said that the hammedan rulers were opposed to village self-government ; *vide*—"Introduction to Long's unpublished Records," p. LIV.

## CHAPTER VII.

### The Varnas in different epochs.

We have seen that in the early part of the Vedic period and in Avestic Iran there were class divisions in the society. Originally there were three classes in the societies of both the countries, then a fourth one was subsequently added. The similarity is striking and as Senart says, "Between the four Iranian pishtras and the four Hindu Varnas the symmetry is significant."<sup>1</sup> But the divisions were not castes but classes as has been said beforehand and Senart admits, "In any case, the four pishtras of the Avesta represent only classes, and in the beginning it was not otherwise with the quadruple Hindu division."<sup>2</sup> But we do not agree with him that the *Varnas* in the latter Vedic period were stratified into castes<sup>3</sup> : of this we will speak later on.

Far away westward from Iran, amongst the people living in the Anatolian plateau in very ancient times, the investigators suspect that the fourfold system of society existed in their midst. Regarding this Ramsay says, "The only place in the interior plateau of Asia Minor where the existence of four tribes can be proved with complete certainty is Iconium, as shown in the inscription on Fig 6. The inscription was arranged between four garlands representing the four tribes."<sup>4</sup> And he further says, "In Ionia, in European Greece, on the Anatolian plateau, and in India we must suppose that here did exist once a social state, which was adopted to the fourfold way

1 E. Senart : "Caste in India." p. 119. also Ludwig : *Rigveda*. IV, 243-244.

2 E. Senart, p. 119.

3 *Ibid.*, p. 143.

4 Sir W. M. Ramsay : "Asiatic Elements in Greek Civilisation," p. 24.

of life.”<sup>5</sup> Regarding four Ionian tribes which were known in the Ionian cities and colonies, the same investigator says, “The four tribes are indubitably Asian in origin ... That there was the ancient division of the Attic people into four tribes (phylæ) is a primary fact. Euripides ascribes it to the four sons of Ion, *i.e.*, the Ionian settlement in Attica ... Under Theseus, there was some attempt made to introduce the triple system, but only of classes, not of tribes.”<sup>6</sup> Again he says, “The institution of the four tribes in Attica has all the appearance of Asiatic origin.”<sup>7</sup>

Again further from Greece, in the primeval days of the Teutons, we have heard that the Edda spoke of triple division of the society and these classes comprising these divisions were created by God Rîg. As regards the origin of the Indo-Iranian classes, we read that the different Iranian classes were formed by the descendants of Zaratushtira and the “Purusha-Sukta” of the Vedas and the Hindu scriptures ascribe the origin of the four *Varnas* to God himself. Thus in all these stories and traditions we find the monogenistic interpretation of the origin of the different classes *i.e.*, the origin of all the elements of the society is traced to a common person. This excludes the idea that different classes of peoples of the society had different origins. Thus all the members of society were conceived as having a common ancestry.

This enquiry leads us to infer that many peoples in their primeval stages develop some sort of social division of the society, and this division arises out of the different tendencies in the professional field of the same people. Thus it is the functions that lead to the grouping of the peoples into different divisions.

### Vedic Epoch

Such a state we find in the Vedic period ; hereditary exclusive social groups are not possible in a society which is migrating,



colonising and blending their blood with others. Functional grouping may take place in such a society. Hence we find social divisions of classes in the Indo-Aryan society but not hereditary endogamous caste system. That the Indian original social divisions were functional, *i.e.*, grouping took place according to the character of the occupation, is plainly to be discovered in the *varna* division amongst the gods of the Vedic pantheon ! The Vedic sages described the gods to be divided into four Varnas : amongst these Agni, Vrihaspati, *etc.* are *Brahmans* ( *Taittiriya Brahmana*, 3.5.5-2.2.9.1 ), and Indra, Varuna, Soma, *etc.* are *Kshatriyas* ; Vasu, Rudra, Aditya, Vaishyadeva, Maruta *etc.* are *Vaishyas* and Pusa, *etc.* are *Sudras* ( *Satapatha Brahmana*, 14.4 2.23-25 ) ! Mahabharata also speaks of the fourfold division amongst the gods. Thus it says : "amongst these the Adityas are *Kshatriyas*, the Maruts ( are ) *Vaishyas*, the Aswini Kumaras ( are ) *Sudras* and the *Devas* descended from the Angiras ( are ) *Brahmans*. In this way, the gods ( *Devas* ) are also divided into four Varnas." ( *Santiparva*, ch. 208 ).

That this division is based on the nature of the functional characters of the gods is evident from the following : "the devavaishyas are to be worshipped in this *Jajna* ( sacrifice ), this is said by the *brahmanvadins* ; by following the imaginary devavaishyas the human *Vaishyas* became wealthy" ( *Aitareya Brahmana* ch. 3 ).

This sentence makes the idea clear that man in this world becomes prosperous in his profession by following the gods who perform the same functions in heaven.

Further Yaska in his "The Nighantu and the Nirukta" explains, "There are three deities only ( *Aitareya Brahmana*, ii, 17 ; *Kausitaki Brahmana* viii. 8 ) say the etymologists ... of these, each receives many appellations on account of his supereminence, or the diversity of his function or else they may be distinct for their panegyrics as well as their applications are distinct.

There everything is like the kingdom of man also." ( 7.5 )<sup>8</sup> Thus, according to Hindu religion gods and men are both classified by the functions they perform. Hence it is evident, the idea that man be classified by the function he performs in the society, got hold of the Indo-Aryan mind.

In the Vedic period of Indian history ( 3000 B.C.-600 B.C. ) we have seen the Vedic peoples to be composed of various tribes and class system to be existing amongst them. In this tribal stage the people was called the *vis.*,<sup>9</sup> but as much fighting had to be done, the fighting people grouped themselves together under several clans which called themselves as Rajanyas. The class itself became known as *Kshatriyas*. In this period which was a long one, when the clans and tribes were constantly coalescing and integrating or transforming and they were always on the move, class system was the possible social institution that could develop. This naturally led to class-struggles as we have seen that the Kshatriyas and the Brahmans asserting their superiority over each other, and there were feuds between the different social classes.

In this period we see the Kshatriya kings performing sacrifices for themselves and the people as exemplified in the act of king Visvantar the son of Sudasman without the intermediary of the priests.<sup>10</sup> Also we see the Kshatriyas and the Brahmans originating from the same families as to be seen from the geneologies. The example of Devapi and Santanu (Rv. 10.98) two sons of king Rttisena bear witness to it.<sup>11</sup> They both stood solidly with each other for exploitation of the people.<sup>12</sup>

8 Yaska : "The Nighantu and the Nirukta." translated by L. Sarup, p. 116.

9 Zimmer : "alt indisches Leben". pp. 193, 214.

10 Roth : "Zur Littaratur und Geschichte" p. 118.

11 Yaska : "Nirukta." 2-10 explaining Rik X, 98.

12 Zimmer, p. 212 ; 168.

“Strengthen the priest, strengthen the Kshatriya” (Vajasaneyi Samhita, 5, 27) is the cry of the Vedas.

At first in every tribe there were attached families of bards who lived in the surrounding of the kings, and sang the heroic acts of the kings and their peoples (9, 10, 3, 4, 26, 1.2). They were called as Brahmanas.<sup>13</sup> They began to make themselves indispensable to the Kings as it is said (Ait. Br., 8, 24), “The gods do not eat at the offering of a sacrifice who has got no *purohita*, therefore every king who will make sacrifice should put forward a brahman.”<sup>14</sup> Later, a member of the bard family began to perform the bard's function at the time of the sacrifice made by a king. He was called the *purohita* (*puraetar*, Rv 7, 33, 6). Here, the beginning of the oldest Indian priesthood is supposed to begin.<sup>15</sup>

Thus we see that from the original *vis*, the fighter class took its rise, and then again, from the families of the same class, the priestly class<sup>16</sup> of *Brahmanas* took its rise. Thus the original bards of the kings in the course of time became the favoured of the gods and later became the Brahman-gods. (Sat. Brahmana, 2.2. 2.6). In this wise it is clear that when the priests and the military “castes” took the name ‘Arya’ from the Vaishyas, then they admitted that they have sprung from the suppressed Arya—the historical Vaishya.<sup>17</sup>

The third class, the free common people, was composed by the Vaishya. Its name Vaishya or Vaicya (in AV., 6, 13, 1 ;

13 Muir ( St. 72. 258 ) says, “The word Brahman ... appears to have had at first the sense of sage, poet, next that of the officiating priest and ultimately that of a special description of a priest.” P. 117.

14 Zimmer. p. 212 ; 168.

15 Roth, p. 117 ; Zimmer, p. 195 ; Vedic Index, Vol. II. pp. 249-251.

16 There is no proof of the brahmanical pretension that the Kshatriyas were descended from the Brahmanas, rather the geneological tables show the contrary. ( *vid.*—Visnu Purana and other texts).

17 Zimmer : pp. 215-216.

V.S., 18,48 the form Vishya or Vicya is to be found) shows that originally it was not a part of the Aryan people but the whole people, as sometimes the expression "Arya" was used to the Vaishya caste only.<sup>18</sup> Thus out of the *Vis* (people) two privileged classes: the Kshatriya and the Brahman took their rise. The latter two, in the course of development took away the rights from the descendants of the *Vis* the Vaishya and degraded then as the third class. As the military and priestly classes made their professions hereditary in their families, the people on the other hand devoted themselves to agriculture, cattle-breeding and peaceful professions. The Vaishya became identified with the guild-force the *bala*; on this account the three classes were known in the Atharva Veda as the Brahman, Kshatra and Bala (9, 7, 9; 3, 19, 1, ).

Along with the Vaishya—Arya Class, the Sudras are also mentioned. Both of them were mentioned together as *Sudraryau*.<sup>19</sup> It seems both the classes worked together, otherwise they could not be mentioned conjointly. The name Sudra is first to be met with in Jajurveda Samhita (white Jajurveda 30, 5) if *Purusha-Sukta* of Rigveda (10, 90, 12) be accepted as a later interpolation. The meaning of the word is unknown. The Sudra was consecrated to the god of Sorrow (*tapas*) in Vajasaneya Samhita (30,5). The Sudra was incapable of making sacrifice (Taittiriya Samhita, 7, 1, 1, 6). The Sudra lived under various disabilities and suffered various pin-pricks from the hands of the other three classes. Yet we hear of Sudra raja, (*Janasruti* in Chandogya Upanishad), of ministers (Satapatha Br., V, 3,2,2) and of rich men (Maitrayani Samhita, IV, 2, 7, 10) in the Vedas.

18 Vedic Index, Vol. I., pp. 64.65. Mahidhara interpreted 'Arya' in V.S., 26, 3 as Vaishya. Further, according to Zimmer, in A.V., 19, 32, 8; 61, 10. Arya stands for Vaishya. *vide* p. 215.

19 Zimmer, p. 215.

Outside this social-polity lived the *Vratyas* i.e., the class-less peoples and the degraded castes. The former according to Zimmer were Aryans who had not submitted to Brahmanical polity and lived mostly on the west of Sarasvati (Indus, according to Zimmer).<sup>20</sup> The latter were the 'mixed castes' who were the offsprings of not the same castes (Magadha, A.V., 15, 2, 1; V.S. 30, 5; Paulkasa, V. S. 30, 17; Chandala V. S. 30, 21; others mentioned in 'Satarudriya' V.S., 16, 26. 27).

These were the social classes and people of the Vedic period. Now the question is how did they fare in the society. In our comparative study of the society of the ancient nations we have seen that *wer-geld* had been the measure of a man's status in the society and as such between class and class. The *wer-geld* (*Vaira-deya*) was known in ancient India as well. In the Rigveda (ii, 32, 4) we find a man's *wer-geld* as one hundred cows. In the *Jajurveda* the same amount is again mentioned.<sup>21</sup> In this matter of *Sata-deya* (*wer-geld* of hundred cows) no mention is made of the difference of *Varnas*. This means, the same amount used to be paid by all, irrespective of his class affiliation. From this we may infer that hard and fast social hierarchy giving rise to various sorts of inequalities were not in force at that time.

We have seen that there was class system in the Vedic period. Naturally the question rises, could individuals change their class? That will imply the question of change of occupation. It seems the occupation was not yet hereditary or binding in a family in the period of Rigveda. The famous saying of a *Rishi* (XI. 112) who said, "He is a poet (bard or brahman), his father a physician (*visak*), and his mother a grinder of corn (*upala-preksini*)" clearly demonstrates it. Moreover the story of *raja* Visvarata (a Kshatriya) becoming *rishi* Visvamitra (a Brahman) is wellknown. Again Satapatha Brahmana

20 *Ibid.*, p. 216; also see the "Laws of Manu."

21 Vedic Index. vol. II. p. 331.

( 11. 6. 2.10 ) says King Janaka of Videha became a Brahman through the teachings of Yajnavalkya. Then the traditions of Brahmans becoming Kshatriyas and renamed as Brahmkshatriyas are wellknown in Indian history. Regarding them, the later Matsya Purana says, "these noblemen who had been mentioned born in the Bhriguvamsa ( a Brahman dynasty ), were founders of royal *gotras* (195, 22-3, 33, 38, 40, 42). Again the Angirasas were Kanvas (Va., 99, 19) and they were an offshoot from the Paurava line ( a Kshatriya clan ). The same was the case with the Urukshyas, Kapis, Gargyeas, Priyamedhas and Maudgalyas : (Mat., 50, 88 ; Va., 99, 278). Again, we hear from the Puranas that a Kshatriya king of the Vaisala dynasty named Bhalandana became a Vaishya (Markendaya, 113, 36 ; 114, 2 ; 116, 3-4 ; Brahma Purana 7, 26 ; Vishnu Purana, IV, I, 15 ; Bhagabat, IX, 2, 23). Also it is wellknown that there were three Vaishya hymn-makers of the Rigveda : Bhalandana, Vatsa or Vasasva and Sankila (Brahmanda Purana ii, 32, 121-2 ; Matsya 145, 116-7). Some Puranas say<sup>22</sup> that these Vaishyas became Brahmans ( Brahma ; Harivamsa, 11, 658 ; Siva, vii, 60, 30). The proof of change of profession, hence the class, can be further gleaned from the Vedic literature. "In Satapatha Brahmana (X. 4. 1. 10) Syaparasa Yakayana is represented as speaking of his off-springs as if they could have become the nobles, priests and commons of the Salvas" ; and in the Aitereya Brahmana (vii. 29) where Visvantara is told that if the wrong offering were made his children would be of the three other castes. Adrunka Risi of the Rigveda (iii. 43.5) talks as if he could be converted into a king."<sup>23</sup>

22 That the Puranas contain much historical informations are being recognised by the modern historians. Pargiter thinks they give the Kshatriya version of the Indian traditions which have been suppressed in Brahmanical books.

23 Vedic Index vol. ii, p. 263.

Thus it is clear that in the Vedic period a man could change his avocation, hence he could change his class. But in the latter part of the same period, in the Brahmanas we hear of class-spirit of the Brahmins and their pretensions were increased. Aitereya Brahmana lauds the Brahmin above the Kshatriya and others. In Taittiriya Brahmana the Brahmin Varna is called God and the Sudra Asura (1.2. 650). In Kausitaki they are called as gods and gods of gods.<sup>24</sup> In Satapatha Brahmana (11, 5, 7, 6 also Av., 5, 17, 19) they laid claims to four special privileges *Archa* (veneration), *Dana* (present), *Ajeyata* (freedom from oppression), *Abadhyata* (immunity from capital punishment).

The demands of priesthood seems to have led to the class-war between the Kshatriyas and the Brahmins, which in the *Ramayana* is described as the fight between Parasuram and the Kshatriyas.<sup>25</sup> Zimmer says, in the end the priests got their claims recognised by the Kshatriyas.<sup>26</sup> But Shamasastri says that the Brahmins were defeated in the struggle as attested in the *Ramayana*.<sup>27</sup>

It seems in the latter period of the Vedic ages the tendency of the priestly function was to become hereditary. Purity of birth was emphasised upon, as Kavasa Ailusa was taunted in being a gambler and son of a *dasi* (slave woman) but later the Brahmins had to acknowledge his magic power and to honour him (Kausitaki, 12.3) and Vatsa was charged of being

24 Weber: Ind. Stud., vol. x.

25 According to Zimmer the hymns 8-12 of Atharva-Veda, and according to Weber the Satarudriya hymn of Yaju text which is the same as V. S. 16=T. S., 4, 5, 1-11=Kath. 1, 11-16 bespeak this struggle.

26 Zimmer, p. 208.

27 According to Shama Sastry Parasuram being defeated by Rama went to the South with a colony of Brahmins. The Nambudri Brahmins claim their descent from this colony. *vide*, "Evolution of Indian Polity," pp. 43-44.

a Sudra woman's son and he had to establish his purity by an ordeal (*Pancha Vimsa Brahmana* XIV, 66). On the other hand, we hear of a Rishi (Brahman) named Kaksivant who appears to have been a son of a slave woman named Usij (i. 18, 1). Further, we hear of Satyakama son of Jabala became the pupil of Haridrumata Gautama inspite of his being the son of a servant-girl and knew not who his father (*Chandhogya Upanishad* vi, 4.4.) was.<sup>28</sup> Thus it is clear that purity of descent was not insisted upon. Rather we hear that "he who is learned (Susruvan) is said to be a Brahman descended from a Rishi (arseya) (Taittiriya Samhita, vi, 6, 1.4). The Kathaka Samhita (30.1) and Maitrayaniya Samhita (48.1; 107.9) say "what do you ask about Brahman father and Brahman mother? Since one who knows the Veda is the father, the grand-father." These scriptures meant that knowledge is all important. Relying on these evidences Weber concluded that knowledge was regarded to be essential, generally descent as absolutely unessential.<sup>29</sup>

Thus it is evident that the rigour of heredity in profession did not set in that period, though the Brahmans gradually monopolised the priestly functions and made themselves as a privileged class. R. C. Mazumdar thinks this is possible only through the formation of closed corporation. According to him "the Brahman society in those days may thus be said to be a guild of priests. ... one could be initiated into this guild of priests only after an approved term of apprenticeship with a

28 Latter-day orthodox Brahmanical writers beginning with the author of Vedanta-Sutra to the religious revivalists and reformers of the Middle Ages all have tried to prove that Jabala was a Brahman of legitimate birth and that king Janasruti was Kshatriya and not a Sudra! Philosophers like Sankara and Ramanuja were fanatical in this matter *vide*, "Saririka-vashya" and "Sri-vashya." Even the translators of these texts in modern Indian languages have defended this attitude.

29 Weber Ind. Stud. p. 70.



Master. This is expressed by acknowledged Sutra writers."<sup>30</sup> But when this is mentioned by the Sutra writers, then it must have developed in the post-Vedic age when the Sutra writers appeared in the scene instead of the Vedic hymn writers—the Rishis ! But we have already said that guild system could not be traced in the Vedas.

Then we come to the question of inter-marriage. It is the general rule that the Brahmans could marry amongst the four Varnas, the Kshatriyas amongst the next three classes, the Vaishyas amongst the next two and the Sudras amongst themselves. The Hindu rule of Hypergamy (*anuloma*) was allowed till the early part of the Mohammedan invasion.<sup>31</sup> But in the Vedas we hear that the Kshatriyas marrying Brahman girls. If the Raja Rathabithi gave his daughter to a rishi named Sakasva ( 5:61 ), we also hear of one Brihaspati who gave his daughter Romasa to king Svaneya Bhavagavya (iii, 26, 6-7 ; Brihaddevata, iii, 155 to iv. 3). As regards inter-marriage between the Sudras with the upper three classes though there are no records of such marriages, there are enough proofs of illicit union betwween "Arya" i.e., *durija* man and Sudra woman (V. S., xxiii 31 ; Taitti. S., vii, 4. 19,3) and Sudra man and Arya woman (V. S., xxiii, 31).<sup>32</sup> The Vedic Index says, "It is not unlikely that if illicit union took place legal marriage was quite possible."<sup>33</sup> Perhaps the fact was suppressed by the Brahman writers. But we hear in the Rigveda that Kanva rishi was '*krishna*' (black) in colour (10.31.11). There was no anathema attached to his birth, and his family Kanvayanas become the composers of many hymns of Rigveda. Regarding

<sup>30</sup> R. C. Mazumdar, p. 389.

<sup>31</sup> It still persists in some outlying places of India.

<sup>32</sup> This verse has been deliberately ignored in Satapatha Brahmana. A proof of class-spirit ; *vide* Vedic Index, vol. I.

<sup>33</sup> Vedic Index. vol. ii, p. 259.

the question of purity of descent, Weber comes to the conclusion, that in those days there was no strict rule regarding the "purity of blood."<sup>34</sup>

Finally we come to enquire about the question of commensality. No trace of interdiction or inter-dining is to be discovered in the Vedas. Shamasastri says, "the Hindus of the pre-Buddhist period had no such rules of diet and marriage as prevented them from inter-dining and inter-marrying with other people."<sup>35</sup> Further, the Vedic Index says, "There is little trace in Vedic literature of one of the leading characteristics of the later systems, the impurity communicated by the touch or contact of the inferior castes. .. It is true that prohibition of eating in company with others does appear (Ait. Aranyaka, V. 3, 3) but not in connection with caste : its purpose is to preserve the peculiar sanctity of those who perform a certain rite or believe in a certain doctrine ... But Vedic literature does not yet show that to take food from an inferior caste was forbidden as destroying purity."<sup>36</sup> Thus it is evident that commensality was not forbidden nor the question of untouchability used to be raised in the Vedic epoch of the Indian history.

Thus we see that those conditions which go to build up the institution of caste system did not exist in Vedic India.

### Post-Vedic Epoch.

The Post-Vedic age is an important period of India. It is one of the *Daemmerung* ages of India when a transition began to take place. From this age we come to historical period of India. It is the age when things were taking shape which gave forms to post-Vedic India.

34 Weber : Ind. Stud., vol. x, p. 75.

35 S. Sastry : "Evolution of Indian Polity, pp. 40-41.

36 Vedic Index, vol. p. 259.

This age emerges with a tradition of the terrible class-struggle between the Kshatriyas and the Brahmins which are alluded in the Vedic texts : of Vena Raja forbidding the priests to make sacrifices, of King Pururavas despoiling the Brahmins of their ornaments, of King Nahusa forcing one thousand Brahmins to draw his chariot, and the echo of which is again to be found in the Epic Ramayana.<sup>37</sup> Weber thinks that the Satarudriya texts which vividly described the troubled time of this internecine war, must have been written in a period earlier than the epic one, and in an age which was transitional to this one;<sup>38</sup> yet as the texts<sup>39</sup> and the "*brahmajaya*" and "*brahmagavi*"<sup>40</sup> hymns and the stories of the above-mentioned Kshatriya rajas have found place in the latter portions of the Vedas, it must be surmised that the event must have taken place when the writing of the Vedic texts has not come to an end.

Senart<sup>41</sup> doubts whether this struggle was a class-struggle though he admits "exceedingly strained relations between the two classes, at least in certain places and in certain times" but

37 All the stories are collected in Muir's "Sanskrit texts" I, p. 226 etc., and Lassen's "Indische Alterthumskunde," I, p. 705 etc.

38 Weber *op. cit.*, pp. 2, 32 ff.

39 The Satarudriya texts either must have been of later compositions thrust into the Vedic texts or there have been interpolations. Because such words as "Pinakam," "Guisha," "Siva," "Trisuladivam," "Nilagriba," "Pasupateya," occurred in the texts. These words savour of modern "Siva-cult." (Rudra is nowhere given these epithets in the early portions of the Vedas.)

40 Shama sastry's interpretation of these hymns as giving clue to the institution of preserving the daughters of the Kshatriya Kings for the marriage of the Brahmins is ingenious and does not seem to be correct. None of the Indologists have understood the texts in this sense. The hymns are simply curses against those rajas who rob the Brahmins of their wives and their cows. In Atharvaveda (Griffith's translation) a hymn (5.17.6) says "Dire is Brahman's wife led home by others : in the supermost heaven she plants confusion." Again another hymn of the same Veda (5.18.7) says, "The fool who eats the Brahman's food and thinks it pleasant to the taste, eats but can never digest the cow that bristles with a hundred barbs."

41 Senart : "Caste in India," pp. 140-142.

according to him, "These incidents in no way exclude the contemporaneous existence of the caste." But we have seen already that the Indian social divisions of these days could not be called "castes," the *varnas* were classes. Hence it was clearly a struggle between the ruling and the sacerdotal classes for supremacy in which the latter class was naturally the ruled one.

This age also saw the intellectual and religious revolts against Vedicism. We hear of the rise of the Samkhya School of philosophy of Kapila, the rise of the *ajivikas*, the various Tirthankars and preachers of *ahimsa* who were the forerunners of Jainism, Buddhism and suchlike other sects. Then we hear of the itinerant religious preachers preaching from village to village. This is the age when Kapila boldly said that man is to be divided according to *guna* (character), and he divided mankind according to character into three categories (*triguna*).<sup>42</sup> This age ends with the rise of Buddha and the spread of brotherhood founded by him.

It seems the fight for the supremacy of Varnas, and the advocacy of the hereditary rights of the upper Varnas must have disgusted the unprejudiced thinkers. Hence we see the reaction towards denial of Sacerdotalism and the Varna system from this age.

With this heritage the age begins. In this age we first come across the word "*anarya*." A great writer of the early part of this age Yaska (Circa, 600 B.C.—500 B.C.) while explaining a passage of the Rigveda said "Kikata is the land of the "*Anaryas*."<sup>43</sup> This is the first time that we come across

42 It is now-a-days accepted that Plato received his idea of three classes of citizens in his "Ideal Republic" from the Indian source. *vide*—Burgess, Willoughby. Mahaffy. This idea belongs to Samkhya Philosophy. Again, the tradition of Pythagoras visiting India though cannot be proved, yet his doctrine of the mystic numbers must be a garbed version of Samkhya philosophy.

43 Yaska: "Nirukta," 6.32.

the name "*Anarya*" (non-arya). Later Kikata is given to mean *Maghada*. Hence Geldner<sup>44</sup> and Zimmer conclude that by it the non-aryan people of Magadha is meant. But Weber<sup>45</sup> opines that by *Anarya Yaska* meant *adikshita* (non-initiated) and sees in the Kikata a non-Brahminical heretical sect of Aryan. He says, "it may be directly the Buddhists or their fore-runners." But there is no certainty about the identification. Oldenberg and Hillebrandt<sup>46</sup> doubted it. Here we would like to draw the attention of the reader that if Magadha be a non-aryan country, then how can we find in its north an "Aryan" kingdom of Videha, whose king Janaka have already seen to have become a Brahman and the Sanskrit texts speak of this King's Court to be the resort of the Rishis like Jagnavalkya and others? The present-day province of Behar is made up of ancient Magadha and Videha, and in this part of India in the fifth century before Christ, Buddha travelled and preached his religion. No where in the Buddhist annals we have read that Buddha moved amongst a strange people speaking a different language. Rather the King was a Kshatriya, and the people spoke a *patois* of the same Sanskritic language as Buddha. On the other hand, it is more probable that as Yaska and Buddha lived in the same age, and as there were various fore-runners of Buddhism about which we have said before, and as Buddha, Mahavira, etc. found hearing in this part of India and got staunch supporters and called them Aryas and good Kshatriyas, it may be that the orthodox priesthood anathematised them as *anaryas* in the sense that they were non-Brahmanical.<sup>47</sup> The

44 Geldner: "Rigveda Kommantar," 58; Zimmer, pp. 51, 118.

45 Weber: Ind. Stud., I, p. 186.

46 Oldenberg: "Buddha," pp. 402-3; Hillebrandt: "Vedische Mythologie," 1 14-18.

47 It is noteworthy that while the Brahmanical books, anathematised the people of Eastern India, the Jaina and the Buddhist scriptures called the people of Rajagriha, Anga, Tamralipta as Aryas and good Kshatriyas. *vide*—Sylvain Levi: Pre-Aryan and Pre-Dravidian in the Vedas; translated by Bagchi.

Sanskrit scholiast Sayana,<sup>48</sup> explains "Kikata" as *atheists* who have no faith, and by "Magadha" is meant *an usurer*. Sayana also explains it as the name of a King. Then from this age, both the Brahmans, and the Buddhists began to call themselves as the followers of the "Aryan" path. On these accounts it is probable that by "*anarya*" is meant "non-initiated" and by "*arya*" is meant noble, follower of right religion. These are cultural connotations only. Thus we see that a cultural fight has begun from the part of this age the result of which we will witness in the next epoch.

Enquiring into the position of the classes we find mentioned in Ramayana that a Brahman is earning his livelihood by digging the earth with spades and ploughs (Ayodhya, xxxiii). But in the latter epic Mahabharata, such a profession of the Brahman is interdicted ( Sabha, XII. 91. ). Class-differentiation seems to be more fully developed in the Mahabharata as it says "a Brahman should live on alms, a Kshatriya should protect his subject, a Vaishya should acquire wealth, and a Sudra should serve the three orders" ( Udyoga, cxxxii, 30 ) and it further says, "Any one belonging to these higher castes became a Sudra by deviating from the duties of his caste" ( Santi, xci. 3 and 2 ). In these injunctions of the Mahabharata we see that the classes have hereditary duties to perform and to transgress them meant degradation from the status that he enjoyed in the society. But it is evident that as the Epics along with the other Sanskrit religious books have undergone various recensions in various ages, and as it is surmised that fourth century A.D. be the date of the final reaction,<sup>49</sup> we won't wonder if the ideology of a stratified class system be found in Mahabharata. .

48 L. Sarup: the translation of Yaska, p. 111.

49 M. Winternitz: "A History of Indian Literature, vol. I, p. 475.

Next to the epics we come to the Dharmasastras or *Smritis*, in examining them we must enquire not only of the epoch in which they were written but also other regional environment of the writers. The Dharmasastras are the law books giving Brahminical versions of the social polity. Of these religious law books which are authoritative to the orthodox Hindu population, the Dharmasastras of Gautama, Baudhayana and Apastamba are the oldest, and according to Kane they "certainly belonged to the period between 600 to 300 B.C."<sup>50</sup> Thus these Brahmanical books fall within the age we are dealing with. Of these, Gautama (IV, 14-17) and Baudhayana (1, 8, 7-12) give long lists of mixed castes and Gautama cites the opinion of some that Yavana is the offspring of a Kshatriya male and a Sudra female"<sup>51</sup> (4.17) ! This citation makes us surmise that it must have been written after the Macedonian invasion.<sup>52</sup> But Apastamba is silent on this point. It is from him that we first get the idea of untouchability in the matter of eating. He says, "Sudras may prepare the food (of a house-holder which is used at the Visvadeva ceremony) under the superintendence of men of the first three castes" (Paasna, II).<sup>53</sup> Here we must remember the tradition that Apastamba lived and worked in the South that may account for this liberality. But then he quotes the modifying injunction to his above rule "According to some (food offered by people) of any caste, who follow the laws prescribed for them, except that of Sudras, may be eaten."<sup>54</sup> But in the Vedas we don't come across such hard and fast injunction ; the story of Rishi Vamadeva who driven by pangs of hunger had to eat the entrails of a dog given by a Chandala

50 P. V. Kane : "History of Dharmasastras," p. 8.

51 P. V. Kane : *op. cit.* p. 19.

52 The Hellenistic people were called as "Yavana," "Jona" by the Hindus.

53 Apastamba : S. B. E., ii, p. 104.

54 Apastamba S. B. E. ii, p. 104.

yet kept his *Rishihood* corroborates us. Again, Yaska while explaining (8.9) the Vedic text "Ye five tribes enjoy my sacrifice" quotes R.V., viii. 63.7 to show that the five tribes of the stanza under discussion are meant to be human. Durga, of course, is in agreement with Yaska. "This means," Sarup says "that the four castes and the Nishadhas (out-casted group) shared the sacrifice in common. This would imply some sort of inter-dining among the various castes, and would show that the water-tight compartments into which the various castes are divided, and separated by rigid barriers of mutual exclusiveness, did not exist in Yaska's time. Further, the epithet 'holy' is applied to 'five tribes.' ... If we accept Aupamanyava's view, all the four tribes and the Nishadas would be holy."<sup>55</sup>

Thus we find that since the days of Yaska, Brahmanical pretensions to exclusiveness has increased. But in Gautama, we find a contradiction to Apastamba's dictum. Gautama (xvii) says, "If the means for sustaining life cannot be procured otherwise, (they may be accepted) from a Sudra." Thus he reverts to the Vedic practice followed by Vamadeva. But these showed the tendency of Brahmanical pretensions to exclusiveness in the matter of commensality.

Again in the same texts we find trace of the question of untouchability. Apastamba says, "If during his (Brahman's meal) a Sudra touches him (then he shall leave off eating)."<sup>56</sup> Again he says, "What has been brought ( be it touched or not ) by an impure Sudra must not be eaten."<sup>57</sup> Gautama also says that a *Snataka* ( initiated one ) "shall not sip water that is offered by a Sudra."<sup>58</sup>

55 Sarup, p. 234

56 S. B. E., vol. II, p. 61.

57 " p. 60.

58 " p. 220.



As regards marriage between the *Dwijas* and the Sudras, Baudhayana allows marriage between Brahman and Sudra (1. 8. 8) but Gautama looks it with disfavour as he says, "sons begot by men of inferior castes on women of superior castes in the inverse order of enumeration are disqualified from performing any religious rites (such as Sraddha)." <sup>59</sup> Thus he is strongly for the upkeep of the precedence of the social hierarchy as he disallows the marriage between the men of lower order with the woman of the higher one. But he goes further when he says, "one whose only wife was a Sudra female was not to be fed on the occasion of a funeral oblation (Sraddha)." <sup>60</sup>

Here we find the same stricture on Hypogamy (*pratiloma*), that is, a man of inferior class marrying a woman of higher class, as existed in the classical lands of Greece and Rome and of mediæval Europe. It is a new prohibitive factor that has entered into the Indian community. Again, in Gautama we first begin to meet with those Brahmanical regulations of harsh treatment that are to be meted to the offending Sudras as he says "A king shall cause that limb of a Sudra to be cut off with which he might have assaulted or offended a Brahman ... A Sudra who has robbed a Brahman, or keeps any article belonging to Brahman concealed after having stolen it, may be punished with death." <sup>61</sup> Further, in this age for the first time we meet with the regulations of difference of *wer-geld* according to the class of the offender! Thus Gautama says "A fine of a hundred *panas* should be realized from a Sudra, striving to be equal to a Brahman in a bed or seat, or treating a Brahman on the road as an equal. Similarly, a fine of equal value should be realised from a Kshatriya who might have badly treated a Brahman, whereas the fine should be doubled

59 Gautama Samhita, ch. IV, translated by M. N. Dutt, p. 665.

60 Gautama Samhita, ch. XII, translation pp. 683-684.

61 *Ibid*, op. cit.

in cases of actual assault. For the offence of rudely treating, a Brahman a Vaishya should be punished with a fine of two hundred and fifty *panas* ( on the other hand ) for the offence of rudely handling a Kshatriya a Brahman should be made to pay a money penalty of fifty *panas*, while his punishment for rudely behaving with a Vaishya would be a fine of half as much amount. *No Brahman should be punished for roughly handling a Sudra.*"<sup>61</sup>

In this differential punishment of *wer-geld* one thing is to be noted that instead of *cows* as fines we meet coins with which the fee for the punishment is to be paid. It is evident that India has emerged on a new plans of civilization, a new socio-economic arrangement. In pastoral days of the Vedic tribes, cows were the medium of exchange but in this epoch we hear of coins as the medium, and of the incrustation of social orders and differential laws of punishment and inheritance"<sup>62</sup> according to class. It is clear that class-spirit is entering deep into the Indian community.

Thus the Brahmanical pretensions of superiority are expressed in these Dharmasastras though all of them do not claim military power for the Brahmans as Apastamba (I. 10. 29. 6) prohibited the touch of weapon to a Brahman, and Baudhayana held the same view, also Gautama (Baudhayana, II. 2. 411) But whether they are actual facts and in practice, are to be checked by other records. As these Smrities are the Brahmanical versions of the social rules of the Hindus and distinctly bespeak the class-bias of the priesthood, we must look for their corroborations from elsewhere. Fortunately, the Buddhist and Jain texts give an account of the Indian society which gives an opportunity to compare the real social condition

<sup>61</sup> Gautama, ch. XIII, translation, pp. 683-684.

<sup>62</sup> Gautama p. 719.

and to evaluate the Brahmanical pretensions to their real worth.

"In the Madhurasutta, a dialogue shortly after Buddha's death between the King of Madhura and Kakkana, the point raised is whether the Brahmins are right in their exclusive claims ... Goutama replied that they make these claims in forgetfulness of the past. The claims have no basis in fact. It is righteousness (*dhamma*) and not class distinction (*vanna*) that makes the real difference between man and man."<sup>63</sup> In this Sutta, Mahakachchana (Kakkana) says, "If prosperity attended a Kshatriya he could engage in his service any Kshatriya, Brahman, Vaishya and Sudra. Similarly any rich-man belonging to any of the other three classes could employ a Kshatriya, Brahman, Vaishya or Sudra and all of them would be equally zealous in the services of their master ... irrespective of the caste to which he belongs."<sup>64</sup> This reply throws a new light on the social condition of the time. It shows that in this age a non-Brahman could employ a Brahman as his servant. This is the indirect contravention to Gautama's injunction of fine of a hundred *panas* if a Sudra strives to be equal to a Brahman!

Again Buddha said, "Then, Ambatta, whether one compares women with women, or men with men, the Kshatriyas are higher and the Brahmins inferior ... so that, even when a Kshatriya has fallen into the deepest degradation, still it holds that the Kshatriyas are higher, and the Brahmins inferior."<sup>65</sup>

Again in Assalayana Sutta it is said that when the Brahmins of Savatti set up Assalayana to controvert Buddha's opinion that the four castes were equally pure, the latter told Buddha

63 T. W. Rhys Davids: "Dialogues of the Buddha," p. 1,5.

64 R. C. Mazumdar: "Corporate Life in Ancient India," pp. 362-363.

65 Rhys David: "Dialogues of the Buddha," pp. 120-121.

that "The Brahmans are the white caste : every other caste is black. The Brahmans alone are pure, those who are not Brahmans are not pure." In answer Buddha asked, "whether in adjacent countries such as Bactria or Afghanistan, there are no differences of colour similar to those between the Brahmans and other castes, and yet in those countries whether slaves cannot become masters and masters become slaves. Again, Assalayana confesses the fact and that the Brahmans put forward their claims inspite of it."<sup>66</sup>

Again in Vasetthasutta, Buddha has said "not by birth is one a Brahman, nor is one by birth 'no-Brahman' ; by work one is a Brahman, by work one is 'no-Brahman'."<sup>67</sup> Further, in Kannakathalasutta the Buddha said, "There are these four castes—Kshatriyas, Brahmans, Vaishyas and Sudras, of these four castes, two—the Kshatriyas and the Brahmans are given precedence, to wit in salutation, homage, obeisance and due ministry."<sup>68</sup>

Thus in the Buddhist texts we find the assertion that the Kshatriyas are the first *varna*, the Brahman stands next to him. The Jaina texts also fully corroborate the Buddhist texts in this matter.<sup>69</sup> This claim we have already seen also has been put forth in the Vedic age as well. Again, in the Ambatthasutta (Digha Nikaya, No. 3) when Buddha curbed the pride of haughty Ambatta, a young Brahman, that the other castes are the attendants to wait on the Brahman, Buddha reminded him that the Krishnayana clan to which he belonged was descended from a slave woman of a Kshatriya King."<sup>70</sup> Here is a clear proof that the Brahmanical class was then not

<sup>66</sup> R. C. Mazumdar : *op. cit.*, pp., 359-360.

<sup>67</sup> S. B. E., vol. x. p. 108.

<sup>68</sup> J. R. A. S., 1894. 1341.

<sup>69</sup> *Vide*—Kalpasutra, S. B. E., vol. xxii, pp. 225-226.

<sup>70</sup> R. C. Mazumdar, p. 357.

yet a closed one as a man of mixed breed and apparently of illegitimate birth (son of a Kshatriya by a slave woman) could become counted as a Brahman !

This brings us to the question of inter-marriage of different *varnas*. The Buddhist texts bear testimony to the cases of inter-marriages between persons of different *varnas*. The introduction to Kummasapinda Jataka relates the marriage of the daughter of the Chief of the garland-makers of Savatti with the king of Kosala and who became his chief consort.<sup>71</sup> The Uddalaka Jataka says that a Brahman, the chaplain of the King of Benares had an illegitimate son by a low woman, and this son was acknowledged by the father to be a Brahman and got an appointment under the father.<sup>72</sup> The Matanga Jataka says that a merchant's-daughter who was at first offended by the sight of a *chandala* at last became his wife.<sup>73</sup> In these illustrations we see that class was no barrier to inter-marriage and low birth was no barrier for the acceptance in the high class of the father ; and in these marriages we see that illustrations of hypergamy and hypogamy. The latter case attracts our attention as it contradicts the injunctions of the *dharmasastras* ; as regards the case mentioned in Uddalaka Jataka we find that the Vedic practice was still in vogue.

Again, if we refer to the real situation as existed in the time of Buddha in North-East India as gathered by Fick, we find that "Even with regard to a Brahman the *khattiya* feels superiority so much that King Arindama calls Sonaka, the son of a *purohita* (priest), a man of low birth<sup>74</sup> (*hinajacca*, v. 257)."<sup>75</sup> Again Fick<sup>76</sup> cites another illustration from the Digha Nikaya (III, 26) that Pasanedi King of Kosala "never allows the Brahman

71, 72, 73 R. C. Mazumdar, pp. 356, 356, 366.

74 *Hinajacca* would mean a man of low caste or class.

75, 76 Fick : "The Social Organisation in North-East India in Buddha's Time." pp. 83-84, 87.

who is a dependant of his, to see his face ; even when he consults him he speaks to him through a curtain !” “This fact agrees with the complaint of the Brahman Ambatta regarding the conduct of the haughty Sakyas who pushed him back with the finger amidst a loud outburst of laughter and no body asked him to take a seat even !”

Thus it is clear that all is not right with the Brahmanical version of the Hindu polity of this epoch. As the ruling class the claim of the Kshatriyas to be the first *varna* is natural. In our comparative studies of the classical countries we have seen that the ruling class is superior to the others. In India the same development has taken place. Hopkins, studying the condition of ancient Indian society comes to the same conclusion. He says, “In looking at the state from a political point of view we must, therefore, reverse the arrangement formally proclaimed by the priests themselves, and put their order below that of the military caste. And next come the “people.””

Now the final question is : What is common that is to be found between the records of both the Brahmins and the heterodox groups ?

We have already seen that a landed aristocracy called Maghaban has taken its rise in the Vedic period. The Kshatriyas as the ruling clans are said to have become a class of *Yunkers* as is surmized “the whole of India was under the control of the nobles.”<sup>77</sup> Besides there were rich Vaishyas and Sudras. Thus it is natural as elsewhere in the world, that in order to safeguard their privileges they would try to become exclusive. Thus we see the Kshatriyas formed a class by themselves and with the consciousness of being the ruling class, they added some rules of endogamy and exogamy to keep their blood pure.

77 Hopkins : “The Social and Military Position of the Ruling Caste in Ancient India.” pp. 72-73.

78 Dr. Prannath : “A study in the Economic Condition of Ancient India,” p. 130.

The priesthood was trying to impose themselves on the people, hence they were laying prétensions to purity of blood. As a consequence, the question of purity of descent arose in the society.

This attempt to keep oneself pure in order to enhance his own position and to safeguard the privileges of his class, leads to the question of purification and taboo known in the Indian texts as prohibitions and injunctions.

### Maurya Epoch

The post-Vedic epoch saw the rise of heterodox schools of thought and religious reformations. It ended with the Macedonian invasion which brought India into inter-national cross-currents. It also ushered in a new epoch in Indian history which makes a complete break with the social-polity of the previous epochs.

When Alexander invaded India, he met the opposition of various tribes, notable of which was the tribe of Puru; well-known in Vedic literature. But advancing eastward, the rumour that reached him was that the King of the Prasii was coming to oppose him with a mighty army. That king was the last ruler of the Nanda dynasty. This dynasty founded by Mahapadma Nanda has been called as "Sudra" in the Puranas, though of illegitimate descent from the Saisunagas, the last Kshatriya royal dynasty of Magadha. It is the first time in authentic history of India that we hear of a mighty potentate of *sudra varna*. The Puranas say, "As son of Mahanandin<sup>79</sup> by a Sudra woman will be born a king, Mahapadma (Nanda) who will exterminate all Kshatriyas. Thereafter kings will be of Sudra origin."<sup>80</sup>

79 Last king of the Saisunaga dynasty.

80 Pargiter: "The Puran Text of the Dynasties of the Kali Age. p. 69; Vishnu Purana, IV, 24.

Thus we see a powerful king of Sudra Varna enthroned in eastern India in the time of Alexander's invasion. One thing that draws our attention here is the utterance of the Puranas that Mahapadma will uproot all the Kshatriyas. The Vishnu and Bhagabata Puranas add to it "like a second Parasurama!"<sup>81</sup> The Puranas are now-a-days being regarded as authentic histories hence it behoves us to enquire what led to this massacre? The Puranas are silent about it. They only say, that a relative of his will destroy him with the help a Brahman named Kautilya and will raise himself on the throne. With the enthronement of the Mauryas, India turned over a new leaf. The Maurya empire was the biggest that India ever saw, and for the first time an all-Indian nationality was achieved under a centralized government. And at the head of it stood a monarch of *sudra varna*!<sup>82</sup>

This period is pregnant with meaning for India. We see that the palmy days of the Kshatriyas are gone. With the rise of the Sudras in power they cannot maintain themselves any longer as the ruling class. They have been uprooted, and a Sudra ruling dynasty brought a new religion into power. Did these things take place without a bitter class-struggle? The bitterness of the struggle, apart from the massacres, is recorded in the writing of Kautilya when he opposed the opinion of Bharadvaja (Arthashastra, v. 6) who said previously that given an opportunity Brahman ministers might do well to replace the Kshatriya rule by Brahman rule! This record leads us to suspect that since the days of the fight between Parasurama and the Kshatriyas, the Brahmans have not forgotten the sting under which they smarted. In the post-Vedic age we have

81 Pargiter, *op. cit.*, p. 69.

82 The Puranas have called the Mauryas as Sudras and "Mudrarakhasha" drama has called Chandragupta a '*erishala*' (Sudra), and in "Chandi" (a part of Markendya Purana, the Mauryas are called as the *Daityas*!



seen that both the classes have proclaimed the superiority of their own Varnas, though the Kshatriyas had kept their position intact. But in the latter period of this epoch we see the rise of the down-trodden Sudras, and under the leadership of Mahapadma they come at the top.

We have seen that Mahapadma was born of a Sudra woman. Then history says that he was an usurper. Perhaps not being accepted in the Kshatriya class as one of them, as they demanded purity of blood and birth, he was regarded as belonging to his mother's class and an out-caste. This must have led to the embitterment of his mind, and as he could not get the throne legally, he had to usurp it. This must have made him clash with the Kshatriya legitimists, and it is no wonder that would embitter him against Kshatriyas as a class and would induce him to uproot them.

The Puranas tell of a valiant Visvasphani or Visvasphatika of Magadha "who overthrowing all kings ... will make other castes as Kings, namely *Kaivartas*, *Pancakas* (Brahmanda Purana Madrakas, Vishnu Yadus Bhagabat both), Pulindas, and Brahmans. He will establish those persons as kings in various countries ... overthrowing the Kshatriya caste he will create another Kshatriya caste."<sup>83</sup> Now, the question arises when and by whom did this thorough revolution take place? Pargiter calculated the date to be 300 A. D. But we do not read the name of such a king in history in such a date. Whoever he may be, it is said in the Puranas that by overthrowing the ruling Kshatriya caste he created a new Kshatriya caste and made kings from many of the untouchable and degraded tribes. This clearly indicates that the ancient nobility which was the ruling class, was destroyed and a new nobility as the ruling class was created in its stead.

Thus the question is naturally asked who was the creator of this mighty change? Was he Mahapadma Nanda himself or the latter, Chandragupta? It seems that there is no record of such a massacre by Chandragupta and he had no cause to do it. It must have been Mahapadma Nanda who had a bone to pick with the Kshatriyas.

Thus we see that in the original rounds of class-struggle, the Sudras at last entered the lists to break their lances and they came out victoriously. Mr. K. P. Jayaswal came out lately with a new interpretation of this Visvasphani. In his "History of India, C. 150 A. D. to 350 A. D. contributed to *The Journal of the Bihar and Orissa Research Society*," pp. 42-43, 1933 he said, "The Puranas, to complete the history of Padmabati and Magadha before the rise of the Nava Nagas and the Guptas insert the history of Vanas-Phara, spelt in the Puranas as Visvasphati, Visvasphani, and Vimvasphati, where Kharoshti "n" has been misread and misreproduced as S. ... Vimvasphati and Vi(n)vasphani stand for the name found in inscriptions at Sarnath, spelt as Vanasphora and Vanaspore. We know from two Sarnath inscriptions (E.I., vol VIII, p. 173) that Vanaspara ruled as governor of the province wherein Benares was situated, under the reign of Kanishka in his year 3. ... We may therefore place him at about 90 A. D. to 120 A. D." Jayaswal attributed the actions of the Pauranic Visvasphani to this Scythian *satrap* of Benares. While leaving the phonetic discussions to the philologists, we beg to draw the date does not coincide with the Puranic one. Of course in the same way the said Visvasphani can be taken as the historical Mahapadma Nanda. Further, Jayaswal said that the Kushan policy was anti-Brahmanical and it was "a policy of social tyranny and religious fanaticism." Also the Kushans tried to destroy the *varnasram* in society. In that case a Kushan ruler would not elevate the Brahmins as kings as attributed to Visvasphani in

the Puranas ! Nanda was against the Kshatriyas against whom he had an axe to grind. He did not persecute the Brahmans and did not try to destroy the *varnasram* system of the Hindus. The newly discovered "Manjusrimulakalpa" translated by Mr. Jayaswal as "An Imperial History of India" says of Nanda, "In the capital of the Magadha-residents there will be Brahman controversialists ... the king will be surrounded by them. The King will give them riches. His minister was a Buddhist Brahman Vararuchi. His great friend was a Brahman Panini by name." (p. 14). Thus Nanda's pro-Brahman sympathy was further attested by this book. Hence we think that Nanda can be taken as the prototype of the Pauranic Visvasphani unless definitely proved otherwise.

In the Maurya period we come across the famous "Arthashastra" of Kautilya, the minister of the empire. Jayaswal says, "The Arthashastra of Kautilya revealed a code of law proper, purely secular with the express provision that the *royal* law could supersede the *dharma* law."<sup>84</sup> In Kautilya's Arthashastra<sup>85</sup> we find the usual anathemas against the Sudras ; yet he allows the inter-marriages between upper three *varnas* and the Sudras. It seems there is a contradiction in Kautilya's policy regarding the Sudras and still lower classes. He blew hot and cold of them at the same time ! On the one hand his attitude towards the Sudras is like the conservative Brahmans, on the other hand he accepted the free-born Sudras as Aryas, indirectly abolished slavery and enjoined that the priests should teach the Vedas to the outcastes and should officiate in the *jajnas* undertaken by them ! These are extreme revolutionary steps taken in defiance of the Brahmanical polity of that age. This raises suspicion whether Arthashastra has not been interpolated by the latter-day conservative Brahmans thus giving

84 K. P. Jayaswal—Tagore Law Lectures "Age of Manu and Jagnavalkya" pp. 12.

85 Kautilya's Arthashastra translated by Shama Sastry.

rise to the cotradictions in the spirit of Kautilya's policy or by keeping the superiority of the upper classes intact he gave some measure of liberty to the lower classes. Dr. Kalidas Nag and others think that there have been interpolations in Arthasastra *vide*—"Les theories diplom d. l' Inde ancienne et l' Arthasastra 1923. p. 116 ff. J. J. Meyer admits that there have been some undoubted interpolations *vide*—"Das alt indische Buch vom welt und Staatsleben," 1926 p. XLVI. But in the matter of inheritance he gives preference to the sons begotten on non-Sudra women (ch. VI, 163). Then he gives a list of the so-called "mixed castes" which are the offsprings of men of lower *varnas* on women of higher *varnas*. These are the products of *protiloma* (hypogamy) he says. "They don't get the class of their mothers, but the son begotten by a Vaisya on a Sudra woman is no other than Sudra !" (ch. VII, 164). In the matter of taking oaths he allows a Sudra witness in the Court (ch. XI, 176). But the crowning act of Kautilya is that in Chapter XIII, 181 he says, "The selling or a mortgaging by kinsmen of the life of a Sudra who is not born a slave, and has not attained majority but is an Arya by birth shall be punished with a fine of 12 *panas* ; of a Vaishya 24 *panas* ; of a Kshatriya 36 *Panas* ; and of a Brahman 48 *Panas*." Here, we see that a Sudra is called an Arya, and that punishment increased with the status of the class of the culprit. Further, we notice the expression a Sudra who is "an Arya by birth." This means that a Sudra can be an Arya by birth. This implies that the status of being an Arya is not circumscribed in some particular groups, the Sudra class can be taken into it. The definition is cleared further by the following sentence "It is no crime for *Mlechchas* to sell or mortgage the life of their own offspring. But never shall an Arya be subjected to slavery." Here, he expressly clears the definition that the status of an Arya is incompatible with slavery. Thus it is evident that the

status of being an Arya does not depend on the class in which he is born, neither is it hereditary. By it is meant a free-born man of the state ; a free citizen is an Arya.

Again he says (ch. XIII, 182), "Deceiving slave of his money or depriving him of the privileges he can exercise as an Arya (*Aryabhava*), shall be punished with half the fine (levied for enslaving the life of an Arya). Here we find the expression *Aryabhava* which means exercising the privileges of an Arya *i.e.*, becoming an Arya. This would imply that the status of an Arya can be bestowed upon any person irrespective of the class in which he is born. In this wise, we infer that there are Aryas and *Aryabhavas*, *i.e.*, who were Aryas from birth and who got the status of the Aryas. This would imply that by Arya we understand what the classical countries of Greece and Rome called "citizen." Thus according to Kautilya a free man was an Arya. In this wise, he included the free Sudras as "Aryas." Jayaswal says, 'Kautilya' makes "Arya" synonymous with "free" ... His principle is that an Arya can never be a slave. Under this principle he brings the free Sudra also, whom he calls *Arya-pran* "breathing the breath of the Arya" (*i.e.*, the freeman").<sup>80</sup>

Again, Kautilya says "the offspring of a man who has sold himself off as a slave shall be an Arya." (Bk. III, ch. XIII, 182). This is a great revolutionary step taken by the Mauryan minister. The previous Indian rule and the custom of the world have been that son of a slave is born a slave. But Kautilya expressly lays down that the son of a slave irrespective of his father's status is an Arya, *i.e.*, a free citizen ! Further, he says in the same place, "on paying the value (for which one is enslaved) a slave shall regain his Aryahood. The same rule shall apply either to born or pledged slaves." Here it is

evident that he indirectly tries to abolish slavery. When a born slave or a serf can regain his free-citizen's status by paying back the money with which he pledged himself to work for others, then it is clear that an attempt has been on foot to abolish the institution of perpetual slavery from India.<sup>87</sup>

As regards speaking ill of habits Kautilya keeps the old custom of *wergeld* : the fine shall increase from 3 *panas* upward "if any one of lower class abuses a man of higher class and if any one belonging to a higher class abuses a man of lower class fine shall decrease from 2 *panas*" (Bk III, ch. XVIII, 193). But in Arthasastra code the immunity of the Brahmans from criminal penalty and capital punishment are unknown (Bk IV, ch. VIII, 222 ; Bk IV, ch. XI, 229).

In perusing Kautilya we find that though he keeps up the old Brahmanical pretensions, yet he tries to mitigate the lot of the Sudras, the slaves and the serfs. The one important salient fact that we gather from him is that "Aryahood" depends on certain politico-economic conditions. A free man is an Arya, *i.e.*, Aryahood or citizenship can be bestowed on any freeman irrespective of his class and birth. Thus in Kautilya we get farther evidence of our contention that by "Arya" we understand certain cultural conditions of life ; an "Arya" is a cultural product and not of a racial one.

This is the achievement of the Sudras in Chandragupta's rule. The religious and social laws of the "Arthasastra" are severe against the Sudras. The Brahmanical pretensions have been kept intact in it. This gives rise to the suspicion, was Chandragupta a Sudra ? The latest writers say his mother was a "Moriya," and in the Mauryan inscriptions the name "Moriya" is to be found. There was a Moriya class of Kshatriyas in the time of Buddha, and a clan of "Moriya"

87 Compare the contemporaneous Aristotle's view and that of Kautilya in this matter

Rajputs exists in present-day India as well.<sup>88</sup> For this reason it may be suspected that he may not have been a Sudra but we have already seen that the established opinion speaks on the contrary. Perhaps like later Samudragupta, he tolerated the Brahmanical pretensions as he owed his elevation to a Brahman !

So long, we have been fed with other kinds of stuffs by the Dharmasastras, but Kautilya's *Arthashastra* reveals another side of the Hindu legal life. It is nowadays conceded that "The *Arthashastra* is avowedly based on previous works of its class ... called *dandanitis* and *Arthasastras*. ... The Dharmasastra literature corroborates this view. It knows and recognises the authority of the *Arthasastras*."<sup>89</sup> Jayaswal concludes that the *Arthasastras* were the real and regular civil and criminal laws of the country, and the laws of the Dharmasastras cannot be treated as the real or main origin of Hindu Law as he says, "An analysis of Apastamba's Dharmasastras reveals the fact that the Dharma laws were originally concerned with ceremonial and religious conduct, with the infliction of penances as the spiritual counterpart of the royal or *Arthashastra* administration of criminal law."<sup>90</sup> Finally he says, the *Arthashastra* of Kautilya had been the "Imperial Code of Law of the Mauryas."<sup>91</sup>

Thus the *arthashastra* or the Code of Administration of the Maurya empire reveals to us that the Sudra was also an Arya, and the Brahman was not immune from criminal penalty. Again in the reign of Asoka, the grandson of Chandragupta, further innovations were made which took away the last

88 These Rajputs say that the name is derived from the emblem of their clan Maura (Peacock). This may betray their totemistic origin. Further, the Rajputs are not of the same lineage with the ancient kshatriyas.

89 Jawawal, *op. cit.*, p. 3.

90 *Ibid.*, *op. cit.*, p. 5.

91 *Ibid.*, p. XIX-XX.

vestiges of the Brahmanical pretensions. Asoka's edict<sup>92</sup> against animal sacrifice which according to Pandit Haraprasad Sastri<sup>93</sup> was directed against the Brahmans as a class, was offensive to them because it was promulgated by a Sudra ruler; in another edict he exposed the *Bhudevas* (gods on earth) to be false gods;<sup>94</sup> then the appointment of *Dharma mahamatyas*, i.e., the superintendents of morals, was a direct blow to the rights and privileges so long enjoyed by the Brahmans. Finally, Asoka insisting on his officer to strictly observe the principles of *danda-samata* (equality of punishment) and *vyavahara samata*<sup>95</sup> (equality in law suits) made the people of the Empire irrespective of their class, creed or colour equal in the eye of the laws of the government. Thus it is evident, that the Maurya state in the time of Asoka was trying to develop equality in the eye of law. But this attempt made by a Sudra king was a blow to the Brahmanical claims made since the days of the Brahmana period of the Vedas. This made them chafe under the Sudra rule, and fierce class-struggle broke out later.

### Brahmanical Counter-Revolution

With the murder of Brihadratha by the Brahman Pushyamitra, the commander-in-chief of the Mauryan forces in 184 B. C. and the usurpation of the throne by him, a wave of Brahmanical reaction lashed its fury over the Indian society. With the usurpation of the throne by Pushyamitra Sunga, for the first time a Brahman sat on a throne, and the Brahmans were elevated as a ruling *Varna*. History says that in commemoration of this event he performed an *asvamedha* sacrifice,

92 Corpus Inscriptionum Indicarum, vol. 1., Inscriptions of Asoka.

93 H. P. Sastri in J. A. S. B., 1910, p. 259,

94 *Vide.*, Sahasram Edict of Asoka.

95 C. I. I., vol. 1. Fourth Pillar Edict : Delhi Topra-west Face of Pillar.



apparently to revive the Vedic rites. Further the Buddhist author of *manjusrimulakalpa* says that he destroyed monasteries with relics, and killed monks of good conduct.<sup>96</sup>

It has been a matter of historical dispute whether the rise of Pushyamitra was due to Brahmanical reaction.<sup>97</sup> There cannot be any doubt that Brahmanical re-action to the Sunga Buddhist regime came to a head under the Sunga general when the Hellenistic King of Bakh, Menander, invaded and advanced as far as Saket (modern Oudh). At that psychological moment, the blow fell on the head of the descendant of Asoka who true to the injunction of his ancestor "would conquer *enemy by love*."

The Brahmanical reaction under the leadership of the Sunga general has been called as *orthodox counter-revolution* by Jayaswal.<sup>98</sup> The embodiment of this counter-revolution is the *Manava Dharma Sastra*, popularly known as the laws of Manu (*Manu Smriti*). Jayaswal comes to the conclusion that internal evidences of this book show that it as such was written at the time of Pushyamitra, and an attempt has been made even to defend his regicide act.<sup>99</sup> It was written by one Sumati Bhargava as said in *Narada Smriti*<sup>100</sup> that the original text has been shortened to its present size by him and perhaps the reactionary new laws were superimposed on the ancient *Manu Smriti*. This accounts for the glaring contradictions in the injunctions of the book !

96 Jayaswal : "An Imperial History of India," p. 18.

97 Vide H. C. Rai Chaudhuri : "Political History of Ancient India" ; Sastri : J. A. S. B., 1910, p. 259.

Jayaswal : "Manu and Jajnavalkya" 50, S. Bhima-sankar : "Evolution of the Brahmanical Hierarchy in Ancient India" in Jour. Andhra Hist. Research Society, vol. IV, pts. 1-4, p. 228.

98 Jayaswal : "Manu and Jajnavalkya," pp. 40-41.

99 *Ibid.*

100 *Ibid.*, also Jolly, p. 21

Any one who reads carefully the matters contained in *Manava Dharma Sastra* will clearly discern that it undid the works of Arthasastra and the Mauryan legislations. The class-hatred that breathe in the pages of this book against the Sudras and the heterodox sects<sup>101</sup> are too glaring to remain unnoticed. Jayaswal admits that the "Manava code thus suffers from its political, social and sacerdotal prejudices" and "this seems to have been the basis of the high authority which it soon acquired. This rapidity in its acceptance is also due to probable royal recognition ... very probably the *Manava Dharma* code became the approved code of the Sungan regime."<sup>102</sup>

In examining the *Manava-Dharma Sastra* or the *Manu Smriti* we find that it enjoins in which situation or what sort of king can be destroyed (F. 27, 28, 111) which is perhaps a defence of regicide act of Pushyamitra ! Again, this book is through and through against the Sudra *viz.* it prohibits the Brahmins to dwell in the kingdom of a Sudra (4. 61), a Sudra cannot be a Judge (8.20) a direct contravention to Mauryan law ; that the kingdom where the Sudras dwell in large numbers, are of atheistic tendency and devoid of the *dwijas*, succumb of famine and various diseases and quickly gets destroyed (8.22). This was an anathema against a Sudra state like that of the Mauryas. In this book, the Brahmins were at first admitted to marry Sudra women (3.12,13) but in the later passages the rule was rescinded (3.14,19). It says "There is no record in history and traditions of the Brahmins and Kshatriyas taking Sudra wives even in time of stress (3-14) ! This is giving the lie to previous history and contradicting Arthasastra which mentions as a *Varna* ( mixed ) marriage ( Bk. III, ch. VII, 164 ). Thus the contradiction in *Manava*

101 Buddhists are called "Pasandas" (Bk II., ch. 36, 144). Again the Fakyas (Buddhists) and Ajivikas, *vide*, Bk III, ch XX, 199.

102 Jayaswal : *op. cit.*, pp. 40-41.

Code is apparent. Again this book says "the children of a slave woman become the property of her master" (9.55), because it argues that like the offsprings of cattle and horses, the children of a slave woman become the property of her proprietor. This is again, rescinding the law of Arthasastra that the son of a slave is an "Arya." Then Asoka's promulgation of equality in law and punishment is revoked as we find injunction in *Manava* Code that if men of a higher class ill-treats a man of a lower class he will get lesser punishment than when *vice versa* takes place (8. 267, 277 ; 366-376). Thus the old Brahmanical standard of *wer-geld* is revived. But the animosity and fanaticism of the *Manava* Code against the Sudra reached its climax when it says (8.270), "An once-born man (a Sudra) who insults a twice-born man with gross invective shall have his tongue cut out ; for he is of low origin" (1). Again, "If he mentions the names and castes (*jati*) of the twice-born with contumely, an iron nail ten fingers long, shall be thrust into his mouth" (8.271). Further, "If he arrogantly teaches Brahmins their duty the king shall cause hot oil to be poured into his mouth and into his ears (8.272). Again, *Manava* Code says "with whatever limb a man of a low caste does hurt to ( a man of the three )<sup>103</sup> highest castes, even that limb shall be cut off ; that is the teaching of Manu (8.279)". Can class legislation go further ?

Thus all the legislations of the Sudra state has been set at naught by the *Manava Dharma* Code. Again, the *Manava* Code deprived the Sudra of all his properties. "A Brahman can

103 On the contrary, the *Arthasastra* says, "The King shall dismiss a priest who, when ordered, refuses to teach the Vedas to an out-caste person or to officiate in a sacrificial performance ( apparently ) undertaken by an out-caste (*aryajya*) person Bk. I, ch. x. 16. This injunction of *Arthasastra* sets at naught the injunctions of the *Dharmasastras* that the Sudras and the out-castes should not be taught the Vedas and should not be allowed in the sacrifice !

quickly confiscate the wealth of *dasa-Sudra*, because he has got nothing of his own" (8.417) also, "a slave (*dasa*) cannot keep any wealth that will belong to his master (8.416).' But this is again rescinding the law of Arthasastra that a slave can have money (Bk. III, Ch. XIII, 182). As regards property, it says, "The property of a slave shall pass into the hands of his kinsmen ; in the absence of any kinsmen, his master shall take it" (*Ibid.*, 183). In this way, a slave again gets the status of a chattel. In these legislations we get the proof of a morbid mentality to establish the superiority of the Brahman class. Thus we read, "If a king be in a dying condition on account of lack of money, yet he shall not take tax from a Brahman who is versed in the Vedas" (7.133). Here again a contravention of Asoka's law. Again, this code says that the "*dasas*, a man who is obnoxious or unpleasant to the people, *dasyu*, a man who performs forbidden work, low castes (*jati*) like the *Chandalas* cannot be taken as witness" (8.66). But Arthasastra enjoins a Sudra to be taken as a witness (Bk. III, ch. XI, 174).<sup>104</sup> Thus we see, that class legislation is extended in the matter of taking an oath in the Court ! Further, trial by ordeal is the process by which a Sudra is to be found out whether he is telling the truth on oath (8.144), while Kautilya enjoins to take down deposition and to submit it to investigation. In the matter of practical economics class differences were also established, thus "the creditor shall take from the Brahman debtor interest 2 *panas* per hundred, from the Kshatriyas 3 *panas* per hundred from the Vaishyas 4 *panas* per hundred, and from the Sudras five *panas* per hundred" (8.142). But Kautilya says "An interest of a pana and a quarter per month per cent is just" and he does not make any *varna* differentiation in the matter of charging interest (Bk. III, ch. XI 173).

104 Compare the system of not taking the Plebs and the serfs as witnesses in ancient and Mediaeval Europe.

Thus the *vyavahara samata* (equality in law) of Asoka has been completely destroyed in the Manava Code. Finally, the immunity of the Brahman from capital punishment was re-established, as it says "Let him never slay a Brahman, though he may have committed all (possible) crimes ; let him banish such (offender), leaving all his property ( to him ) and (his body) unhurt"<sup>106</sup> (8.380) ; again, "No greater crime is known on earth than slaying a Brahman ; a king, thereof, must not even conceive in his mind the thought of killing a Brahman"<sup>106</sup> (8.381). On the other hand, the final fate of a Sudra is thus described : "A Sudra inspite of his being set free by his master does not get freedom. Slavery (work of a *dasa*) is natural with him, for this reason who can set him free from it ?"<sup>107</sup> (8.412-414). Thus it was ordained by the Brahmanical imperial code that a Sudra should remain accursed all his life. It was a fanatical piece of class-legislation and took away all the privileges of the Sudra given to him by Arthasastra and by Asokan legislations !

Again, as everywhere in a reactionary class state, the questions of birth and heredity have been brought into prominence. Thus Manava Code says<sup>108</sup> "Behaviour unworthy of an Aryan, harshness, cruelty, and habitual neglect of the prescribed duties, betray in this world a man of impure origin" (Ch. x, 58). Again it says, "In all castes (*varnas*) these (children) only which are begotten in the direct order on wedded wives, equal ( in caste and married as ) virgins, are to be considered as belonging to the same caste (as their fathers)"<sup>109</sup> (10.5). Thus, children born of legal wedlock by the husband and wife of the same class, will get their father's status. Here the question of legality of marriage and marriage within the class are emphasised. Again it says, "sons, begotten by twice-born-men on

106, 106 Buehler's translation, pp. 319-321.

107, 108, 109 Buehler's translation, pp. 321-404.

wives of the next lower castes, they declare to be similar ( to their fathers, but ) blamed on account of the fault (inherent) in their mothers<sup>110</sup> (10.6). Here, marriage outside the *varna* is allowed, but stigma is attached to the offspring due to the lower *varna* of the mother. This injunction is further explained in the following sentence, "Children of a Brahman by (women of) the three ( lower ) castes, of a Kshatriya by (wives of) the two ( lower ) castes, and of a Vaishya by ( a wife of ) the one caste (between him) are all six called *base born (apasada)*" (10. 10.). This passage contradicts the abovementioned injunction by which the sons of a man marrying in the class next to that of his, is taken in the father's class. In the latter passage, these offsprings are called "base born." The following passage again says, "Those sons of the twice-born begotten on wives of the next lower castes, who have been enumerated in due order, they call by the name *anantaras* (belonging to the next lower caste) on account of the blemish (inherent) in their mothers." Here we see the injunction is that, the offsprings of the mother coming from a class lower than that of the father will not get the class of his father. This is in contradiction to the injunction No. 6. Thus, another contradiction in Manava Dharma Sastra is apparent. But it is clear that Manava Code finally upholds the injunction No. 5 of this chapter. It emphasises legal marriage within the *varna*.

Then the Manava Code speaks of the "mixed *varnas*." It says, "By intermixture of the classes, by their marriages with women who ought not to be married, and by their omission of prescribed duties, impure classes have been formed (10 24);<sup>111</sup> Thus the offsprings of the parents coming from different classes are called by Manu as "mixed *varnas*" popularly known as "mixed castes." Thus it is clear that marriage outside the

110 Buehler's translation, pp. 321-404.

111 Jones' translation of "The ordinances of Manu" P 343.

*varna* is not countenanced in the Manava Code, inspite of the contradictory statements contained in it.<sup>112</sup> And this is in consonance with the Brahmanical counter-revolution which wanted to establish the society on *varnasram dharma*, i. e. hierarchy of hereditary classes.

Again, the case of heredity is emphasised by saying that the blood of the upper *varnas* is by nature superior to that of the lower *varnas*. "Should the tribe sprung from a Brahman, by a Sudra woman, produce a succession of children by the marriages of its women with other Brahmans, the low tribe shall be raised to the highest in the seventh generation" (10. 64). Thus, it is ordained that a woman of mixed descent but having a Brahman father if be married to a Brahman, and the daughter of that union if again be married to a Brahman, and if this Brahman connection be continued for seventh generation, then this last generation becomes Brahman. Because the Code says, "(Good seed is always praised" (10. 72.). Further it says this superiority is extended to all the upper castes as in the next sentence it says thus, "As the son of a Sudra may thus attain the rank of a Brahman, and the son of a Brahman may sink to a level with Sudras, even so much it be with him who springs from a Kshatriya, even so with him, who was born of a Vaisya" ( 10. 65 ). Here the superiority of the blood of the upper classes over that of the lower one is asserted. Thus, it is manifest that this injunction says, more a family of mixed origin gets the blood of the upper *varna* in its veins, more it gets elevated to the higher status ; and more it gets the blood of the lower *varna*, more it gets degraded.<sup>113</sup>

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In this matter we clearly see that the son may take the class of his father. Here, the heredity from the father's side is considered important.<sup>114</sup>

Further, we see in the Manava Code that the superiority of the Brahmanical claims has been extended in political fields also. We read thus : "A king even in extreme danger shall not arouse the anger of a Brahman because a Brahman when angry can destroy the kingdom at once ... Whether unlearned or learned a Brahman is like a *mahadevata*—Great god" (9., 313-317). Here we hear the echoes of the claims made in the *brahmajaya* hymns and in the Brahmanas. Then it lays down the injunction of aristocratic Brahmanical bureaucracy when it says that the king should have seven or eight ministers chosen from hereditary official families, well versed in the vedic sastras, brave and of good families and tried men (7.58). Manava Code certainly confines the posts amongst the *dwijas* when it gives injunctions to appoint men "well versed in the vedic sastras !" Arthasastra did not make any *varna* distinction in this matter by demanding such qualification. It says, "Natives, born of high family ... well trained in *arts* ... these are the qualifica-

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Further, we see in the Manava Code that the superiority of the Brahmanical claims has been extended in political fields also. We read thus : "A king even in extreme danger shall not arouse the anger of a Brahman because a Brahman when angry can destroy the kingdom at once ... Whether unlearned or learned a Brahman is like a *mahadevata*—(Great god" (9., 313-317). Here we hear the echoes of the claims made in the *brahmajaya* hymns and in the Brahmanas. Then it lays down the injunction of aristocratic Brahmanical bureaucracy when it says that the king should have seven or eight ministers chosen from hereditary official families, well versed in the vedic sastras, brave and of good families and tried men (7.58). Manava Code certainly confines the posts amongst the *dwijas* when it gives injunctions to appoint men "well versed in the vedic sastras !" Arthasastra did not make any *varna* distinction in this matter by demanding such qualification. It says, "Natives, born of high family ... well trained in *arts* ... these are the qualifica-

114 Compare the cases of the offspring of marriages of different classes in the Middle Ages of Europe with that of Manu.

tions of a ministerial (*amatyasampat*) officer" (Bk. I, ch. VIII, 14 ; *Ibid.*, ch. IX, 15). Kautilya agrees with the son of Bahudanti who lays down amongst other qualifications of an appointee "to be born of high family and possessed of wisdom" (Bk. I, ch. VIII, 14). Finally the extreme claim in political field is made when the Code says, "The post of a commander-in-chief, kingdom, awarding punishment, leadership and rule over all man ... these are fit to be received by those who are well versed in the Vedas" (12.99-100) ! It clearly says that men well versed in the Vedas can fill up these posts only. These claims have never been made in any of the Smritis before ! Probably it tries to cover up the usurpation of the Brahman Pushymitra as hinted by Jayaswal.

Again, we get the theory of "Divine rights of the king" (7.7.8) in this Code. The idea of Man-god we first meet in Manava Code. This again, gives us the clue that India has entered the feudalistic development of the society.

Thus with the rise of the Brahmans to political power, the *varnas* began to take new positions. The classes began to change their places.

Another 'Dharmasastra that probably was written during the period of Brahmanical ascendancy was Vasistha Smriti. Kane gives the date to be "first century of the Christian era."<sup>115</sup> But we think that this *smriti* though containing much views that are ancient and agrees with Apastamba, yet the assertion of Brahmanical superiority that is expressed in it makes us take it to be written at the time when the Brahmans were the ruling class. It seems it was written at a place where the old practice of sacrificing of a cow for the reception of a guest was still in vogue though cow was being replaced by a goat ( Ch. III ) as it says, "one may cook a full grown ox or a full-grown he-goat

for a Brahman or a Kshatriya guest."<sup>116</sup> Thus the place can be located as North India.

Vasistha enjoins that to serve the three superior classes is the occupation of the Sudra. In this matter he is not much different from Manu.<sup>117</sup> Then he says that "If a twice-born person dies with the food of a Sudra in his stomach he will become a village pig (in the next birth) or be born in (that Sudra's) family"<sup>118</sup> (ch. III). Then he enjoins the learned "not to learn a language spoken by the Mlechhas" (ch. III).<sup>119</sup> Again it says, "Some say that a Sudra is a corpse; therefore the Veda must not be recited near a Sudra" (ch. XV).<sup>120</sup> As regards the punishment of the men of non-Brahman class for knowing a Brahman woman it ordains thus "If a Sudra knows a Brahman woman (the king) shall cause the Sudra to be packed up in *virana* grass and thrown into a fire. ... If a Kshatriya knows a Brahman woman (the king) shall cause the Kshatriya to be tied up with blades of *sara* grass and shall throw him into a fire"<sup>121</sup> (ch. XIX). This is the terrible class-justice that is ordained for the non-Brahmans in Vasistha's Smriti. Just like other Brahmanical law books it keeps up the gradation of punishment according to the class of the offender (Ch. XIX).<sup>122</sup>

Thus on some point, Vasistha Smriti is harsher than the other law books *i.e.*, his ordinance against the Kshatriya culprit is severer than ever expressed by other law-givers. The Brahmanical class-arrogance has permeated this *smriti* through and through and the Brahman has been held up very high. The arrogance of the priesthood is manifested in the following injunction—"By robbing a Brahman one shall run with flying hair to the king (declaring), 'I am a thief, Sir, punish me.' The king shall then give him a weapon made of *udumbara* wood ;

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with that weapon he shall kill himself. It is said in the Vedas that he becomes pure after death"<sup>123</sup> (Ch. XVIII) It is not possible to have that injunction unless it can be backed by a king of the same class. In Manu and Vasistha we find the superiority and divinity of the Brahman class over others being expressed all through. And these claims and assertions become idle and empty boastings unless these have been backed by the State. For this reason, it can be said that these two treatises of Brahmanical class legislation were written at the time of the Brahmans' rule,

Leaving this *Dharmasastra* which according to Jayaswal<sup>124</sup> was an intermediary law book and never got the status of an authoritative Code we turn to Jajnavalkya.

A strange thing to be noted in connection with this period is the custom that is disclosed in the discussion of Patanjali in his Mahabhasya commentary (to Panini's grammar) regarding the status of those after whose eating in the plates of the upper classes, the utensils do not lose their purity. Patanjali is accepted as a contemporary of Pushyamitra as he mentioned the horse-sacrifice of the last king named (Mahabhasya, III, 2,123). Panini in his grammar has given an aphorism "*Sudranam anirabasitanam* (2, 4.10) which means that those Sudras that are not excluded. While explaining the aphorism, Patanjali argues thus, those who are not excluded from Aryavarta are "*anirabasitanam*," also he gives a boundary of the same. But he says others (Sakas, Javanas) dwell within it. Hence the sense would be *aryanibasat anirabasitanam*, i.e., those who are not excluded from the habitat or colony of the Aryas. And what is an *aryanibas* i.e., where the Aryas dwell? They dwell in *grama* (village), *ghosa* (the place of the cowherds),

123 Vasistha Samhita, *op. cit.*, p. 808.

124 Jayaswal, *op. cit.*, p. 66.

*nagara* (city), *sambaha* (where the traders dwell) &c. But within this big colonies the *chandala* and the *doms* dwell as well.<sup>125</sup> And the latter are excluded from Aryavarta. Hence he opines, the meaning would be that those who are not excluded from the *jajnas* (sacrifices) are to be regarded as *anirabasitanam*. But the *rajakas* (washermen), *tantubai* (weavers) are *anirabasitanam*. Hence the meaning would be that after whose eating, the plates are kept after cleansing are *anirabasitanam* and after whose eating the plates have to be thrown away i.e., these are considered to be permanently defiled, are *nirabasita*.

Here, we get the idea that all who dwell in the Arya-settlements must be Aryas. Therefore, the Sudras are Aryas, and they are not impure, because the upper *varnas* will not throw away the plates after their eating. Only some whose descendants are now regarded as untouchables are not regarded as Aryas. Hence it follows that the Sudras though not *dwijas* (twice-born) yet are Aryas. And this is in consonance with Kautilya. Also Manu nowhere said that the Sudras are *anaryas*. Further, he says, the Sakas and the Javanas are also Sudras, and he places them above the *doms*. Hence they are *anirabasita*, i.e., after they have eaten in the plates of the upper *varnas* these can be kept after cleansing! And these concessions are given by Patanjali when Manu was thundering against the Sudras and the *javanas*. This discussion of Patanjali betrays the fact that some castes like washermen were regarded as clean (*sat*) Sudras, while later on their status became degraded.<sup>126</sup> Further the idea that the non-Hindus like the *javanas* are "*anirabasita*" is unthinkable to-day! These support the view that the *varnas* and their sub-divisions had different status in different epochs.

125 According to the Smritis they dwell in the outskirts of the cities.

126 Yama Samhita calls them as degraded *varna*. (54)

### Andhra-Kushan Epoch

Sunga rule in North India was followed by the rule of the Kanvas ( 72-27 B. C. ) another Brahman ruling dynasty. This age had an interlude in the rise of Kharavela the overlord of Kalinga. He in his inscription boasts that the *javana* King Dinita ( Hellenistic king Demitrios of Central Asia ) retreated from Rajagriha to Mathura in hearing his valour. He defeated Bahasamita the king of Magadha, and his wide conquests extended from the Dravida country up to the North-West Frontiers. He convened a conference of the Jaina teachers at Bhubaneswar from all over India who once more put together the scattered or lost texts ( Angas ) of Jainism. According to this inscription the rise of Kharavela took place in the reign of the Sungas of Magadha when the Bactrian Hellenistic king had invaded the same country (probably about first half of 2nd century B. C. ). Also it seems that in imitation of Asoka, he convened the Jaina teachers to compile their religious books. But he could not universalise Jainism, nor his conquests had any lasting effect. His conquests were like passing raids all over India, it was a *digvijaya* customary with the powerful Indian potentates of ancient India.<sup>127</sup> During this period hordes from Central Asia began to pour in through the north-western passes : The Hellenistic people of Bactria, the Sakas and lastly the Kuisans<sup>128</sup> or the Kushans, according to some cognates with the Yue-chis who spoke a language which was allied with the Centum<sup>129</sup> group of the Indo-European family of languages. These peoples made themselves masters of the north-western and western parts of India. Amongst these, the Kuisans played

127 Ep. Ind. vol. 20, The Hasthigumpha inscription of Kharavela.

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a very important role in North India. Their influence on the North Indian society is not yet fully ascertained. It is presumed that once their sway extended up to the Bay of Bengal.<sup>130</sup> Though these peoples settling within the boundaries of Indian civilisation were Indianised, and the Sakas (Scythians) and the Kuisans accepted Buddhism as their religion and some became orthodox Hindus, yet the orthodox Brahmans never accepted them in the Brahmanical polity. They were always regarded as foreigners and *mlechhas* !

We have seen that Gautama cited the opinion of some that the *javanas* (Ionians, *i. e.*, the Greek-speaking peoples) were the offsprings of a Kshatriya male and a Sudra female.<sup>131</sup> Thus the Hellenistic peoples were relegated to the position of "mixed *varnas*." Manava Code regarded the Sakas to be Sudras (x. 44) and inter-dining between the Sakas and the twice-born Aryas were not sanctioned. "These ruling Sakas and political antagonists on account of their political and social polity, have been lowered by the Bhagavata as lower than the lowest Sudras, to the position of Pariayahs (*antyajas*)"<sup>132</sup> The reason of this antagonism between the Buddhist Sakas and Kuisans on the one hand and the orthodox party led by the Brahmans on the other, lies in the assumption of Jayaswal made from Brahmanical reports that "one of the early Kuisans destroyed temples of the sacred fire and raised in their places Buddhist temples .. all castes were abolished and practically one caste was created ... people worshipped bone relics instead of Hindu Gods. The *varnasram* system had been superseded."<sup>133</sup> Thus international Buddhism became aggressive again under the leadership of the converted Kuisans.

130 K. P. Jayaswal : "History of India," (c. 150 A. D., 350 A. D. pp. 62.)

131 *Ibid.*, *op. cit.* pp. 151-152.

132 *Ibid.*, *op. cit.* p. 47.

133 *Vide* Jayaswal in J. B. O. R. S., XVIII. 15.

During the reign of the foreign-born Buddhists, it is presumed that a great social change took place. Jayaswal as already noted ascribes the revolution of Visvasphani of the Puranas to the Kuisan satrap of Benares named Vanashpora (90 A. D. to 120 A. D.). It is said that "He made the population practically Brahmanless. He depressed high class Hindus and raised low caste men and foreigners to high position. The same policy was followed by the latter Kuisans—a policy of social tyranny and religious fanaticism—both actuated by political motives ... These *mlechha* rulers felt the ignominy which a Brahmanic system of society automatically imposed upon them and they tried various means to destroy that social system which excluded them."<sup>134</sup>

Thus it is evident that these Buddhist rulers of alien birth established a bureaucracy of their own to support their regime.<sup>135</sup> And if the supposition be correct that Vanasphara is the same as the Pauranic Visvasphani, then it is clear that the Kuisan rule created new "castes" by replacing the older ones. Certainly the old social-polity was made topsy-turvy by this struggle between the Brahmanical hierarchy and the Kuisan-Buddhists who were regarded as worse than the Sudras.

In the meantime the Brahmanical power was gathering strength in the south under the Satakarnis or the Satavahana dynasty of the Andhra country (220 B. S.-230 A. D.). The Satavahanas were Brahmans and were the champions of the cause of nationalism against the foreign-born rulers of the north. They stood as a wall against the Saka invasion of the Deccan and once they extended their sway even to Magadha. Thus, the

<sup>134</sup> Jayaswal, *op. cit.* pp. 41-44

<sup>135</sup> The story of the Saksena tribe of Kayasthas (writer caste) having something to do with the Sakas, hence getting this name as the *sonas* (soldiers) of the Sakas, lends colour to it. Further, in the latter part of the second century A. D. the Abhir Chieftains served as generals of the Saka rulers of western India.

Brahman class though lost its political influence in the North, regained it in the South under a Brahman ruling dynasty.

One of the rulers of this dynasty Gautamiputra Satakarni, the most famous of the Satavahana kings was a social reformer ; "He crushed down the pride and conceit of the Kshatriyas, furthered the interest of the *dwijas* and *kutubas* (agriculturists) and stoped the contamination of the four *varnas*."<sup>136</sup> Thus Brahmanism under the Satavahana dynasty continued<sup>137</sup> its class-conflict both against the Kshatriyas and the Buddhists, and worked for the upkeep of the hierarchical form of the Indian society.

On the other hand as a result of the policy of the neo-Buddhist rulers, the formation of new classes are held to be not only possible but the rise of some of the Sudras was a fact as in the orthodox south we see the rise of a *abhira* king Isvarsena in Maharashtra.<sup>138</sup> These people have been called "*dasyus*" in the Ramayana.<sup>139</sup> The Mahabharata regard them as Sudras and their modern descendants the *Ahirs* are still regarded as Sudras, though at present claiming to be Kshatriyas. Finally, the question of heredity is clearly emphasised in the following sentence in the Manu Samhita, "Who is superior amongst the children born of a Brahman father but begotten on a *anarya*-mother and those who are born of a *anarya* father by a Brahman woman ? The answer is that the son of Brahman if be endowed with cooking (*paka*) and sacrificial (*jajna*) qualities he will be regarded as superior ; but the son of an *anarya* by a Brahman woman is naturally inferior (10.66-67).

136, 138 H. C. Rai Chaudhuri, pp. 340-341.

137 In the Inscription No. 2 in the caves at Nasik this King is called as "the glory of the Satavahana family ... the unique Brahmana," *vide* Ep. Ind. vol. 8, p. 611.

139 *Vide* Ep. Ind. vol. VIII, No. 8. p. 89. In a later record the same people residing in Cutch have been called as *mlechhas* and beef-eaters by the Brahmins. *Vide* H. C. Ray. "The Dynastic History of Northern India, vol. I, p. 38. vol. II, p. 941:



This meant, if the son of a Brahman by Sudra woman becomes *range i.e.*, be accepted in his father's society he will be regarded as superior to that man who has a Brahman mother but a *anarya* father.<sup>140</sup>

The Dharmasastra written in this epoch is that of Jainavalkya. Jayaswal surmises that he, probably living in the Kingdom of a small prince somewhere in Madhyadesa, wrote his treatise;<sup>141</sup> Kane surmises his date to be between first two centuries of A. D. or earlier;<sup>142</sup> but Jayaswal says it must be later than second century A. D.<sup>143</sup> According to Jolly this Smriti is an advancement on Manu.<sup>144</sup>

In Jainavalkya the hatred shown to the Buddhists is clear as it speaks of, the sight of the yellowrobed people as an evil omen (1.273). Thus, it was written at a time when there no love was lost between the two opposing sects. Yet, on the other hand, by making an analysis of Jainavalkya's Smriti it is manifest that he toned down a good deal of the hostility of Manava Code against the non-Brahmans. Thus we find, that Jainavalkya is silent regarding the prohibition of taking gifts from non-Kshatriya kings as ordained in Manava Code. Again any direct hostility to the *mlechhas* is not to be found in it. Hence Jayaswal surmises that he wrote at a time when the *mlechhas* were ruling. Here, we must recall to our mind that the Kuisans were the overlords of Northern India in this epoch, therefore Jainavalkya had to trim his thesis according

140 In explaining this injunction Kulluka Bhatta has used the synonym "Sudra" for an "*anarya*" but a Sudra is not always an "*anarya*." Buehler has translated the word for "non-aryan" which we think is not correct. Jones translates it as a "base man" and "base woman."

141 Jayaswal, *op. cit.* p. 61.

142 Kane : "History of Dharmasastra," p. 187.

143 Jayaswal, *op. cit.* p. 59, also Jolly, "The Institution of Vishnu," S. B. E. VII. pp. XX-XXI.

144 Jolly "Recht und Sitte," p. 19.

to the exigency of the time. Further, the Smriti of Jainavalkya reduced Manu's fanatical punishments called in Smritis as "penances" to reasonable terms. It elevated the position of the Sudras to a better condition than that in Manu, it opened the *chandrayana* penance to them which was only for the *dwijas* before. It enjoins that respect be showed to a Sudra who is endowed with knowledge and allows trade to him ( Jainavalkya, III, 262, 268 ; III, 22 ). But we have seen that trade was allowed to him in the Vedas, so it is no condescension granted to him. But as it is denied to him in the Manava Code, Jainavalkya's legislation is an advancement on it. Then, "the extravagant punishments for his suppression are omitted. Likewise, the extravagant claims of the Brahman for total immunity is set aside, and he is brought under the King's law. The profession of arms is once more forbidden to the Brahman ( III. 35 ). His claim to sovereignty is ignored."<sup>145</sup>

Thus, Jainavalkya was an advancement on Manu, yet it retained its orthodox conservatism. That it could not be fanatical to the Buddhists and Sudras was probably due to the overlordship of the Buddhist-Kuisans in north India. For that reason, Jayaswal thinks that Jainavalkya could not give any definition of Aryavarta<sup>146</sup> like Manu<sup>147</sup> as the Kuisans were sitting tight in the very centres of orthodoxy at the time! Finally, Jayaswal thinks that "It is possible that it received imperial recognition during the early Gupta time, and in their reign, we may presume, it extended to western India where it has remained the ruling authority. The code may be taken to have replaced and repealed Manu's code throughout the land of Aryan civilisation."<sup>148</sup>

145, 146 Jayaswal, *op. cit.* p. 61. 61.

147 It seems the definition of "Aryavarta" with the Brahmanical law-givers has got the same import as the "Dar-ul-Islam" of the Islamic theologians. The boundaries of "Aryavarta" have changed with political changes.

148 Jayaswal, *op. cit.*, p. 61

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143 Jayaswal, *op. cit.* p. 59, also Jolly, "The Institution of Vishnu," S. B. E. VII, pp. XX-XXI.

144 Jolly : "Becht und Sitte," p. 19.

to the exigency of the time. Further, the Smṛiti of Jainaṽalkya reduced Manu's fanatical punishments called in Smṛitis as "penances" to reasonable terms. It elevated the position of the Sudras to a better condition than that in Manu, it opened the *chandrayana* penance to them which was only for the *dvijas* before. It enjoins that respect be showed to a Sudra who is endowed with knowledge and allows trade to him ( Jainaṽalkya, III, 262, 268 ; III, 22 ). But we have seen that trade was allowed to him in the Vedas, so it is no condescension granted to him. But as it is denied to him in the Manava Code, Jainaṽalkya's legislation is an advancement on it. Then, "the extravagant punishments for his suppression are omitted. Likewise, the extravagant claims of the Brahman for total immunity is set aside, and he is brought under the King's law. The profession of arms is once more forbidden to the Brahman ( III. 35 ). His claim to sovereignty is ignored."<sup>145</sup>

Thus, Jainaṽalkya was an advancement on Manu, yet it retained its orthodox conservatism. That it could not be fanatical to the Buddhists and Sudras was probably due to the overlordship of the Buddhist-Kuisans in north India. For that reason, Jayaswal thinks that Jainaṽalkya could not give any definition of Aryavarta<sup>146</sup> like Manu<sup>147</sup> as the Kuisans were sitting tight in the very centres of orthodoxy at the time ! Finally, Jayaswal thinks that "It is possible that it received imperial recognition during the early Gupta time, and in their reign, we may presume, it extended to western India where it has remained the ruling authority. The code may be taken to have replaced and repealed Manu's code throughout the land of Aryan civilisation."<sup>148</sup>

145, 146 Jayaswal, *op. cit.* p. 61. 61.

147 It seems the definition of "Aryavarta" with the Brahmanical law-givers has got the same import as the "Dar-ul-Islam" of the Islamic theologians. The boundaries of "Aryavarta" have changed with political changes.

148 Jayaswal, *op. cit.*, p. 61

Thus, though Jainavalkya code may not have been accepted at the time of writing, yet the code was an advancement on Manu and it reflected the orthodox Brahmanical mind living under the overlordship of the Buddhists.

### Revival of Orthodoxy Bharasiva-Bakataka epoch

The next epoch ushers in a new adjustment of the social forces in North India and later it covered South India with its encircling development. This age begins to see the rise of orthodoxy in the form of different sectarian cults. Vedicism is giving place to worship of different gods, yet all of them keeping themselves within the frame work of *varnasram* polity. Thus India entered again into a *Daemmerung* period, and when the veil has been finally lifted from the hitherto unknown chapter of Indian history, we find the rise of the Naga Kings—the Bharasivas of Central India claiming Kshatriya descent.<sup>149</sup> It is a question how far these Naga Kings represented the blood of the ancient Kshatriyas. It is a question whether they were not neo-Kshatriyas that have been created from time to time.<sup>150</sup> “Manjusrimulakalpa” describes the Nagas ruling Bengal as Vaishyas as it says, “The Nagas will be surrounded by Vaisyas and will themselves be Vaisyas” (translation by Jayaswal, p. 51). The translator in the foot note says, “The Tibetan text ... seems to read that the Nagas were of the lowest Brahman class, originally; and later on their status that of the Vaisyas” (p. 51). This piece of news shows that Varnas are not unchangeable.

Jayaswal says that under the Naga kings known as the Bharasivas, Saivism as an antidote to Buddhism took its

149 Jayaswal: “History of India, C 150 A.D. to 350 A.D., p. 62.

150 Sarat Ch. Roy: “Caste, Race, and Religion,” in “Man in India,” Vol. XIV, Nos. 3 and 4 p. 305.

rise, as "Saiva asceticism became a necessary antidote for a re-adjustment of society ... Saiva asceticism was a necessary factor of correction."<sup>151</sup> The Bharasivas, according to Jayaswal, united different states into a federation with themselves as their leading power, and as such militated against the Buddhist Kuisans. But the epigraphic records do not substantiate it, they point out only that their power reached upto the banks of the Ganges.<sup>152</sup> But the Saivaite Bharasivas thus becoming the champions of Brahmanical orthodoxy<sup>153</sup> became the defenders of Indian nationalism.<sup>154</sup> In these Kaleidoscopic struggles between Brahmanical orthodoxy and Buddhism, it is manifest that orthodoxy became the champion of ancient Indian traditions, manners and all that emanated from Vedic ritualism. The priestly class as the repository of Vedic traditions became the champion of orthodoxy<sup>155</sup> while Buddhism knowing no barriers of race, colour and country became international and no respecter of ancient ethnic traditions emanating from the Vedas. Hence the believers of ancient ethnic traditions, ritualism etc. became the orthodox party, while the disbelievers broke away from ethnic barriers and

151 Jawaswal, *op. cit.* p. 52.

152 The Chamak copperplate Inscription of Pravarasena II C. I. I. vol. iii. p. 241 says that the Vakataka king Rudrasena I who was a Saiva by religion, was the daughter's son of Bhavanaga, the Maharaja of the Bharasivas whose royal line owed its origin to the satisfaction of Siva, who obtained Ganges water by their valour, who performed ten *anvamedha* sacrifices. This proved that the power of the Bharasivas extended to the Ganges valley.

153 "*Manjusrimulakalpa*," notes that under the Nagas Brahmanism revived in Bengal, p. 47.

154 *Vide* the views of the Puranas like Vishnu and Bhagabata regarding the Brahmanical attitude vis-a-vis the outlandish habits and oppression of the foreign Buddhists.

155 Compare the condition of ancient Egypt where the priests became the repositories of ancient traditions and moves after the foreign invasions.

in order to support themselves sought ultramontane allies. On this account, the non-Indian Sakas and Kuisans became ardent followers of Buddhism and while the names of Kanishka and his grandson Vasudeva are honoured names in the Buddhist history, their names are execrated by the orthodox Brahmanist party. The foreign-born Buddhists inspite of accepting some form of Indian religion, names and manners could not be accepted as belonging to respectable Indian classes. The Smritis relegated them to the position of low Sudras.

Thus the mysterious Nagas formerly regarded as fabulous personages, and mentioned in the Vishnupurana as the 'Nava Nagas' and nowadays suspected by some to be no other than "Hinduised Nagas of the Dravidian stock"<sup>156</sup> claimed themselves to be Kshatriyas and became the champions of Brahmanical orthodoxy!<sup>157</sup> In this wise we see that the classes, in the course of their existence were changing their components. New groups of people coming up from the masses and occupying according to their occupations one of the strata of the traditional social divisions, and taking the ancient name of the class with which they are identified! Of this we will see more later on.

Later, the Brahman dynasty of the Vakataka (284 A.D.—348 A.D.) took its rise. Perhaps the clan name of this family

156 S. C. Roy, *op. cit.* p. 305 ; Also "The Hill Bhuiyas of Orissa, pp. 146. 305. 306.

157 The Narayanpal stone Inscriptions of Gunda Mahadevi engraved in Saka era 1083 (=1111 A.D.) speaks of the dynasty as of Naga descent (Nagbansi) of the *hasynpa gotra*. The epigraphist Hiralal says, "There can be little doubt that it was connected with the Sinda family of Yelbarga. The Sindas also claim to be Naga *bam-sadbhara* (Naga descent), born of the race of the Naga (cobra-serpent), and the lords of Bhagavati, which city is a mythical place in the nether world." This clearly betrays the totemistic non-aryan tribal origin of the Naga dynasty, though euphemistically hid den under a Hindu mythological story ! *vide*—Ep. Ind., vol. ix. no. 49, p. 312.

was Pakotaka, and the personal name was Vakataka.<sup>158</sup> The founder of the dynasty as named in Vishnupurana was one Vindhyasakti, a Brahman, but whose son Gautamiputra married the daughter of the Bharasiva King Bhavanaga—a neo-Kshatriya.<sup>159</sup> Perhaps the Vakatakas were a dominant power<sup>160</sup> in India till the rise of the Guptas. It seems the Vakatakas were inclined towards Saivism<sup>161</sup> and were the upholders of various Brahmanical sacrifices. In the meantime, the Pallavas who were also Brahmans were extending their rule in the South.”<sup>162</sup> In the Inscriptions the Pallavas claimed to be descended from the Rishi Angirasa, whose descendant was Asvathama, the son of Drona, the Brahman preceptor of the Kurus of Mahabharata. (S. I. I. vol. pt. I, no. 24, p. 13). Again, they said that as the result of Asvathama's dalliance with the nymph Madani, a son was born called *Pallava*, as at its birth he was lain on a couch covered with a heap of sprouts (*pallava*) (No. 32, p. 28. South-Indian Inscriptions, vol. I, pt. I.). Thus India, once more, fell under the domination of the Brahman rule.

One of the contributions of the Vakataka rule was the social revival of “Varnasram-dharma” and Hindu orthodoxy.<sup>163</sup> In the Inscriptions the Vindhyasaktis speak of performing various Vedic sacrifices and took the tittle of *dharma-maharaja* like the Pallavas and the Kadambas. It seems that they boasted of being the purifiers of Brahmanical faith.<sup>164</sup> In this wise,

158 *Vide*—Ep. Ind., vol. xv, no. 13. “Some unpublished Amaravati Inscriptions” by R. P. Chanda.

159 Jayaswal, *op. cit.* p. 62.

160 An Inscription speaks of the feudatory of the Vakataka king Prithivisena. His name was Vyaghradeva. *vide*, C. I. I., vol. iii no. 54.

161 *Vide*—C. I. I. vol. iii no. 55. Inscription of Parvirasena II.

162 Jayaswal *op. cit.* p. 62.

163 *Ibid.*, *op. cit.* p. 95.

164 Sarkar's “Select Inscriptions” ch. iii no, 59.



the mantle of the Bharasivas fell on the shoulders of the Vakatikas and which in turn fell on the Guptas.

### Gupta epoch.

The rise of the imperial Guptas is a turning point of Indian history. It laid the foundation of the present-day Brahmanical orthodox social-polity and Brahmanical religion popularly known as Hinduism. It seems, the proper expression for the new form of Indian orthodoxy would be "Brahmanism" rather than anything else. Because, the new polity is based on the old *varnasramdharma*, but in which the superiority of the priestly class of the Brahmins over other became unchallenged, it acknowledged the Vedas as divinely inspired books (*apta-vakya*) and the existence of the social hierarchy, the questions of taboo and purification (*achara*) the most cardinal points of the polity, and as a counter-revolutionary move it accepted the asceticism of the Buddhists and finally some of their customs.

Brahmanical orthodoxy, thus equipped, became Brahmanism which since its inception became identified with Indo-aryan ethnic traditions and, as such, it became the ethnic religion of India which, never tolerates any non-Indian influence over it. Since that time it can be called as the champion of Indian nationalism, *i.e.*, a world-view which seeks no external extra-Indian influence as an ally.

Thus the rise of the Gupta regime is momentous for the Indian society and it organised the social forces on a new basis. The Gupta dynasty rose from a small beginning. The founder of the imperial power Samudra Gupta, prided himself on being the son of the daughter of the Licchavis (Licchavi *tanayasuta*). The Licchavis, we have seen, have been decried by the orthodox party as *vratyas*, and then we heard them of being Buddhists, yet the new champion of the orthodox party prided himself on

being the son of one of their daughters ! Further, the Guptas never in their records have mentioned the name of their *varna* ! This has been a mystery to the scholars so long as Jayaswal says, "Nowhere they disclose their origin or caste status, as if they have purposely concealed it."<sup>165</sup> But Mr. Jayaswal's illuminating discovery is that the Guptas belonged to the untouchable *varna* of *Karaskar* as given in the *Kaumudini Mahatsava* a drama written in 340 A. D.<sup>166</sup> Bandhayana gives the status of the Karaskars as of a low *varna*, whom the Brahmans should avoid, and "on return from whom they should perform a ceremony of purification" (Dh. S. I. ; 32) ; Mahabharata (Karna Parva, 45 Ch.) says that the Karaskars are devoid of religion and the Brahmans should avoid them. Mr. Jayaswal takes the Karaskars as the ancestors of the present-day Kakkar Jats<sup>167</sup> and he takes the Guptas to have belonged to the same community ;<sup>168</sup> but he thinks that their social position was not very low at that time.<sup>169</sup> But Vincent Smith, most probably from their patronymic took them as Vaishyas.<sup>170</sup>

165 *Jayaswal, op. cit.* p. 114-117.

166 Prof. H. C. Ray Chaudhuri says : "The evidence on the print is hardly conclusive" *vide*— Political History of Ancient India," pp. 442-443. Dr. D. Sircar again doubts the historicity of this book (J. A. H. R. S. vol. xi. 1937-38, p. 63). Yet these do not alter the fact that the Guptas hid their caste name, which gives rise to suspicion that they originated from a very low order of society.

167 If the Jartikas of Mahabharata be the forbears of the modern Jats then they were not of high standing. They were regarded as *vatyas* in the Mahabharata.

168 The newly discovered Buddhist history known as "Manjusrimulakalpa," translated by Jayaswal as "The Imperial History of India" gives out that the Guptas were originally Vaishyas though they were "Mathura jata." But he also notes that they are described as Kshatriyas, p. 53. On the other hand, Mathura Jata means that they were born in Mathura, it cannot be "Jat of Mathura."

169 *Ibid.*, "History of India," in I. B. O. R. S. 1933 pp. 114-117.

170 *Vide*—V. Smith : "Early History of India."

On the other hand Jayaswal has said that it was not a patronymic, but the proper name (Srigupta) of the founder of the family. Whatever that may be, it is evident that contrary to the custom of the Indian rulers, the Guptas concealed their origin and status, and this fact makes it clear that they did not spring from the higher *varnas*; further, their *gotra*<sup>171</sup> 'Dharana' seems to be a non-Brahmanical one. According to Jayaswal when Chandragupta I<sup>172</sup> as adopted son of king Sundara Varman came to ascend the throne of Pataliputra there was a strong opposition from the public as the Karaskars were not subject to *varnasram* rule of orthodox polity, moreover he married the daughter of the Buddhist Licchavi king! "A cry was raised that he was not a Kshatriya, he had married a lady who was neither a Magadhian nor a Brahmanical Hindu. As a result the Gupta king was driven out. But the period of the Guptas was not very long ... but full of consequence and a future which produced entirely a new history. It turned the Guptas from outlandish usurpers into a dynasty of the Hindu of Hindus, Maghadian and protectors and upholders of the *dharma*, Brahman and cow, literature and sculpture, language and law, national culture and national civilisation of Hindu India." Thus when Samudra Gupta ascended the throne of Magadha, the Guptas had turned *volte face* and as Henry of Navarre thought that "Paris is well worth a mass," he from a "casteless" and "Brahman-less" Karaskar, became the champion of *varnasram* system and Brahmanical orthodoxy!

Thus, inspite of the origin of the Guptas, we see the fight between the upholders of the social hierarchy and the equalitarian Buddhists broke out again in this epoch. It is the epoch

171 *Ibid*—Ep. Ind., vol. xv. no. 4. Poona plates of Prabhavati Gupta.

172 H. C. Ray Chaudhuri says, "The identification of the 'accursed' Chandasena (adopted son of Sundara Varman) with Chandragupta I is untenable". *Ibid*, *op. cit.* pp. 412-443. The matter needs further investigation.

which gave the particular stamp to "Hinduism" which it bears still to-day. In these days, as we have seen also in the Bharasiva-Vakataka period orthodoxy was no longer confined to Vedic rites and ceremonialism, as Vedicism was receding in the background and newly organised cults built around personal gods were coming into vogue. If the Bharasivas were Saivaites, the Guptas were Vaishnavas.<sup>173</sup> From this day, Brahmanism popularly called as "Hinduism" turned on a new phase, and we see that it developed into Pauranic Hinduism which is still current to-day.<sup>174</sup> The Smritis are its laws; and intense belief in *varna* division and the abject submission to the Brahmins are its cardinal virtues. Modern scholars agree that the Puranas, and the epics,<sup>175</sup> at least the Mahabharata got their last recensions in this epoch. It seems that with the revival of orthodox faith, the Brahmanical liturgies and litanies underwent new recensions as well. The old Vedic ceremonies having become obsolete, the liturgies of the religious and social ceremonies were made anew though here and there compounded with Vedic *mantras*. The epic heroes began to be worshipped as gods. From this time on instead of Vedic rites, we get rites as mentioned in the Puranas and Tantras. A comparative analysis of the prevalent Brahmanical and *Tantrik* liturgies with the Vedic ones and litanies connected with the social ceremonies as sanctioned in the Grihya Sutras which are still being followed today with the current ones, will testify the change that

173 In this age a large number of temples dedicated to god Vishnu were erected, compare C. I. I., vol. iii.

174 In the Sanchi stone Inscription of Chandragupta II (A. D. 412-413) we find the emperor threatened the transgressors of his particular arrangement of alms with the guilt of the slaughter of a cow or a Brahmin. *Vide* C. I. I. vol. iii., p. 34.

175 M. Winternitz says, the Ramayana got its last recension probably in 2nd century A. D. and the Mahabharata in the 4th century A. D. *vide*—his "A History of Indian Literature," vol. p. 465-514.

Brahmanism has taken since the revival of orthodoxy between the Bharasiva and Gupta epochs.

In these new recensions of the epics, the Puranas and the ritual literature we see the stamp of the Gupta era when the divinity of the Brahmans in *varnasram* and faith in Vishnu-worship are brought out in bold relief. The tribal Vedic gods do not figure any longer in these books, instead we have the all-powerful Triad—Brahma, Vishnu and Maheswara. The Vedic all-powerful thunder-bearer Indra has been degraded in this new literature into an office-master of the heavenly bureaucracy, and Indra's *sabha* as described in the Mahabharata is a prototype of an oriental monarch's *darbar* (a Court) ! Indra no longer kills the darkskinned Sambara and the Dasyus, but he is always defeated and chased out of his place by the *daityas*, *rakshasas* and *danavas*, and in distress he seeks the aid of the almighty Vishnu !

Thus, it is clear that in this age of Brahmanical reaction, the Sanskrit literature was interpolated and edited in consonance with the propaganda of the divinity of the Brahman class<sup>176</sup> and the sacredness of the *varnasram* system.

The Smritis formed in this epoch and later on, depict the mentality of the dominant orthodox section. We have said before that Jayaswal surmises that Jajnavalkya's Smriti to have been the code of the state of this time. The other Smritis that were written in this epoch of supremacy of Brahmanism are probably Vishnu, Narada and Parasara. Vishnu Smriti seems to have been written after Manu and Jajnavalkya as it borrows

176 In order to establish the idea of the superiority of the Brahmans, even above the gods themselves, one of the Puranas gave a story that Maharshi Bhrigu went to *khirod samudra* (milkocean) where almighty God Vishnu was sleeping and gave a kick on his chest, and the stamp of the kick was adorned by the almighty Vishnu with respect. An arrogant piece of class propaganda to preach the superiority of the Brahmans above all !

from them. It says that the sight of yellow-robed ascetics and *kapalikas* are evil omens ( 63. 36 ). Even it prohibits speech with the *mlecchas* and *antyajas* ( 71. 59 ) and journey to the countries of the *mlecchas* ( 84. 2 ). It defines Aryavarta in the following stanza. "The sages shall know that country as the land of the *mlecchas* where *varnas* of four order do not exist. *Aryavarta* is outside that place." Thus, it clearly lays down that where *varnasram* system does not exist, that is not the country of the Aryas. That means, it shows its hostility to the Buddhists and call those people as Aryas who only follow the Brahmanical polity ! Then it lays down special instructions for the worship of Vishnu (ch. 49) and speaks of *Svetadvipa*<sup>177</sup> as the reward of devotion to Vasudeva ( 49. 4 ). Thus it is evident that it must have been written in this epoch when Vishnu-worship is being promulgated.

As regards its pro-Brahmanical inclinations, we find that it enjoins that "Having obtained a hidden treasure, a Brahman may himself appropriate all" ( 3. 37 ), while other persons shall disgorge parts of it to the king and to the Brahmins ; portion allotted for the Brahman increasing with the class of the person" ( 3. 38-40 ).

Then it lays down that a Brahman is not subject to corporal punishment ( 5. 2 ). And "(the king) shall cut off that limb of an inferior with which he strikes the body of a superior person" ( 5. 19 ). Again "If (*i. e.*, a low-caste man) sits on the same seat ( with a superior caste ) by having his lips branded, shall be banished" ( 5. 20 ).<sup>1</sup> Then it says, "one, who contaminates a Brahman by giving him interdicted food ( shall pay a fine of ) sixteen gold coins ( 5. 97 ), half ( of that is the fine ) for contaminating a Kshatriya ( 5. 100 ) half ( of the latter is the fine )

177 Regarding the story of *svetadvipa* in the Puranas, vide—Dr. Brajendranath Seal's book : "Narada's visit to Svetadvipa."

for contaminating a Vaishya ( 5. 101 ). The lowest fine ( is for ) contaminating a Sudra " ( 5. 102 ). Thus this Smriti lays down strict punishment regarding defilement of food. The *wer-geld* increases with the class of the offender. But the harshest injunction is that, "A man belonging to a caste that is not touched, and willingly touching the three ( higher ) castes shall be killed."<sup>178</sup> Here the question of "touchability" has taken a fanatical turn. In this age, the Brahmins have taken an uncompromising attitude to those who are in the lowest stratum of the society as it also says, "An outcaste shall never be cited as witness" ( 7. 2 ) though it allows a Sudra to be a witness ( 9. 5 ).

As regards inheritance of property, the Smriti says, "children ( begotten by husbands of inferior castes ) on women of higher castes are not entitled to a share" ( 15. 36 ). Even "These sons will not inherit the property of their grand-father ( 15. 37 ). They are to be supported by those, who inherit the shares" ( 15. 38 ). Thus *pratiloma* marriage ( hypogamy ) is strictly interdicted in this epoch the special features of which are that class distinctions are made rigid ; it says, "All should have social intercourse only between themselves" ( 16. 15 ).

Another *smriti* that is written in this epoch is that of Parasara. Its age is probably between first and fifth century A. D.<sup>179</sup> This Smriti contains some peculiar statements which contradict each other. There is usual Brahmanical orthodoxy regarding treatment to the non-Brahmins, yet in some respects it is liberal. It is written at the locality where beef-eating was then considered as sin ( 11. 1 ) and Brahmanism was in ascendancy. The penance for eating beef for a Brahman is to make a "gift of a cow, a Kshatriya two, a

178 Vishnu Samhita—translated by M. N. Dutta p. 829.

179 Kane, p. 195.

## THE VARNAS IN DIFFERENT EPOCHS

Vaishya three, and a Sudra four cows, under the circumstances" ( 11. 3 ). This injunction leads us to believe that it has been written when the influence of the Gupta epoch has permeated the society.

In this age, two social peculiarities come in bold relief when it enjoins that "Having eaten the boiled rice of a Sudra, impure with a birth uncleanness, a Brahman should recover his purity by eight thousand times repeating the *gayatri mantram*. *Gayatri mantram* a thousand and five thousand times repeated, should be the expiation for respectively eating the boiled rice of a Kshatriya and Sudra under the circumstances" ( 11. 15-16 ). Here, we see the question of the legality of birth and the question of "cooked" and "uncooked" food that are strong in orthodox Hindu society of today have been raised in Parasara. But in comparing the story of Satyakama the son of husbandless Jabala and the injunction of Apastamba that a Sudra can cook the food of a Brahman with this injunction, we can surmise what peculiar ideologies and social laws are getting current in this age. The questions of what to do and from whose hands to eat and what to eat that are the cardinal dogmas of *varnasram* of present-day Hindu society, have been already rampant in the age we are now discussing, and orthodoxy has already formulated definite social rules in these matters. An important thing is to be noted in this epoch is that the Kshatriyas have been completely subdued by Brahmanical reaction. In former *Smrities* we do not read of the rule that eating of rice cooked by a Kshatriya is a sin with the Brahman. But in this epoch of ascendancy of Brahmanism the Kshatriya has fallen so low in the eyes of the Brahmins as to be the subject of this law ! It is a far cry from the later Vedic days of the Upanishads when the Kshatriyas were the repositories of divine learning (*brahmavidya*) and from the days of the Jatakas when the Brahmins were called "Hinajacca" ( low caste ! ).



allied themselves with the *rakshasas* of the South.<sup>194</sup> The Agastyas and the Vaisvamitras were Paulastya Rakshasas and were called as *Brahma-rakshasas*, i.e., those who were descended from the Brahmans who have allied themselves with the *rakshasas* or themselves have done the same thing (Purana, Va, 69, 195-6; Purana, Bd., III, 7, 162-3; Ramayana I, 8, 17 and 12, 18). Again, the allegorical story of the crossing of the Vindhya range by Agastya points out the reminiscences of this peaceful penetration of the South.

The infiltration of the northern influence is to be traced in the literature of the South. Mr Aiyangar says: "The history of South India ... begins with the coming of the Aryans in the South. The coming of the Aryans therefore would be coming of the Brahman as a settler in this remote and sequestered region of India. In early Tamil literature ... it means the northerner with the northern culture."<sup>195</sup> Thus, South India had been influenced by the Indo-Aryan civilisation from a very ancient time. We hear from the Hathigumpha inscription of Kharavela that the Magadhan king Nanda took away the *Kalinga-Jina* from the South which a few centuries later was restored by him. Then we hear of the activities of the Buddhists and the Jainas in historical period. But the final victory lay with Brahmanism as witnessed by the numerous Brahmanical kingdoms that arose in succession in this part of India.

History says that South India did not remain unaffected by the kaleidoscopic change that took place in the fate of the society of the North. It seems the development of the orthodox cults of the North took place in the South in the Sunga period of the northern history.<sup>196</sup> It is apparent, that the rise of

194 Pargiter: "Ancient Indian Historical Tradition," pp. 24-42.

195 S. K. Aiyangar: *op. cit.*, p. 1.

196 S. K. Aiyangar: *op. cit.*, p. 60.

the Brahmans to political power sent its repercussions everywhere in India. Later on, as already mentioned, we met with the empires of the Satavahans or the Andhravritiyas who were Brahmans. The first establishment of their power in the valley of Godavary was as early as after the death of Asoka.<sup>197</sup> In the extreme south the Chera and the Pandya kings though non-Brahmans by origin were affected by the Brahmanical influence of the North and they claimed kinship with the ancient Kshatriya clans.<sup>198</sup> But the conquests of the Vakatakas and Samudragupta placed the South under the heels of Brahmanism. Again the rule of the Bharasivas, the Vakatakas and the Pallavas, all of whom were of Brahmanical persuasion followed in succession. The Pallavas were the Brahman settlers from the North, who had changed their Brahmanical profession to that of the Kshatriyas.<sup>199</sup> Thus South India began to get the stamp of Brahmanical orthodoxy over and over again! Jayaswal says, "There was a great

197 R. C. Mazumdar. "A Brief History of India," p. 32.

198 C. V. Vaidya: "History of Mediaeval Hindu India, Vol. iii, p. 280. In vol. ii, p. 288 this author says, "This descent of the South-east kings may properly be treated as imaginary and being opposed to the statement of the Satapatha." Mr. Jayaswal says, the Pallavas were neither foreigners nor "Dravidians." In the Inscriptions they boasted of being the descendants of the ancient Kshatriya dynasties of North, *vide*—"Two Pandya Copperplate grants from Sinnamaur," no. 206, South Indian Inscriptions, vol. iii, pt. iv, p. 443; the Pallavas claimed to be the descendants of Asvathama of Mahabharata. *vide*—South-Indian Inscriptions, vol. i, pt. 1, no. 82; the Chalukyas claimed to be the descendants of the Hero Arjuna of Mahabharata, who went to the South to conquer it, *vide*—"A Grant of Virachoda in *Ibid.*, no. 39, p. 58; also Gadog Inscription of Vikramaditya vi, in which they speak of themselves as a branch of Lunar-dynasty, Ep. Ind., vol. 15, no. 24; the Kerala king Ravivarma claimed to belong to Jadu dynasty of Lunar race. *vide*—"Arulala-Perumal Inscription of Ravivarma of Kerala," in Ep. Ind., vol. iv, no. 17, p. 146; the Cholas claimed descent from the Sun through Ikshakus. *vide*—South-Indian Inscriptions, vol. iii, pt. iii, no. 205, pp. 413-419.

199 K. P. Jayaswal: "History of India. C 150 A.D. to 350 A.D.," p. 183

Brahman tradition of imperialism in the South and it was so strong that the moment the Pallavas were defeated by Samudragupta, the Kadamba feudatory of the Pallavas, Mayurya-Sarma<sup>200</sup> and his son Kanga, who were Brahmans not accepting the abolition of the southern empire, declared the re-establishment of the southern Empire. This was not of course suffered by Samudragupta and Prithivishena Vakataka.<sup>201</sup> Finally as said before, South India in the Gupta epoch, became tributary to the imperial Guptas when the whole of India was receiving the stamp of Brahmanism which it bears even to-day. Again Ganga and the Kadamba dynasties which were contemporaneous with this epoch and later carried on their independent existence inspite of the Guptas, were Brahmans. Thus the Brahmans and the Brahmanical dynasties helped to establish orthodox social-polity on a firm footing; and the influence of the Brahman states made the Brahmans the dominant class in the South.

Thus Jayaswal says, "The Brahman families occupied the position of aristocracies in the South. They remained exclusive and were intimately connected with the Royal families. The Aiyars and Aiyangars are still the real aristocrats of the South. The Brahman rulers of the early centuries and their matrimonial Brahmans were the makers of Southern India, who by introducing their culture in the South made *dakshinapatha* an integral part of Hindu India."<sup>202</sup>

In this wise, we see that the Brahmans became the ruling class in the South, and Brahmanism with its strict rules of *varnasram* and *achara* got its over-bearing character from

200 For account of the Kadambas, *vide*—Fleet: *Dynasties of the Kanarese Districts in the Gazette of the Bombay Presidency*, vol. ii. pt. ii pp. 558—564; also Kielhorn's *Inscription of Southern India* no. 603.

201 K. P. Jayaswal: *op cit.*

202 K. P. Jayaswal, *op. cit.*, p. 197.

the influence of the Brahman states. Hence it is no wonder, that the non-Brahmanical classes were beaten down to submission, and the assertion of Brahmanical superiority towards the Sudras which is unbearable in some respects is still the order of the day !

A noticeable act in this epoch is the stamping out of the last vestige of the Saka rule from India proper. In Western India, in the Guzerat and Malava side, the Kshatrap rule established by Chashtana ( 130 A. D. ) was holding its sway for a long time. These Saka rulers became Brahmanists to all intents and purposes, and changed their names as well. Even they allied themselves with the Brahman Satavahana family by giving away the daughter of the Saka Chief Rudradaman to Pulamayi, the son of the King Gautamiputra.<sup>203</sup> In spite of these matrimonial alliances and changes, the Brahmanical Gupta emperors could not brook the existence of a royal dynasty which had a foreign origin. As Brahmanical nationalism had been identified with racialism, it could not tolerate the Saka dynasty though the ruling Sakas were as good Brahmanists and probably Vishnuvites as the Guptas themselves and were ranked as Sudras by some Brahman scholars. Hence the Saka Kshatrap Rudra Sinha III was destroyed by Chandra Gupta II the son of Samudragupta in 338 A. D.<sup>204</sup>

A remarkable thing to be noted as a characteristic of this Saka dynasty is that they employed Brahmans in treasury and in other offices.<sup>205</sup> During the rule of this dynasty the Garuda pillar of the Vishnu temple was built by one *Paramabhagavata Heliodoro*. He seems to have been one Heliodorus, a Hellenistic Greek from the North sent to the satrap ( Kshatrap ) on a political mission, and whose love for Vaishnavism made him

203 H. C. Rai Chauhan : *op. cit.*, p. 339; For this relationship see Ep. Ind., vol. 8. no. 6. Junagadh Rock Inscription of Rudradaman, pp. 40-41.

204, 205 *Ibid.*, pp. 351-353.

build the pillar. The title of "Paramabhogavata" bespeak devotion for Vaishnavism. These facts point out that foreign elements were gradually taking the usages of the population of India, and even were melting down in the cauldron of Indian culture and becoming as good Indians as the others. Yet the Kshatras could not escape the wrath of racial nationalism of the Brahmans though they and the other foreign immigrants by adopting Hindu names and some of them had Kshatriya surnames were identified with one or other Indian sects, and performing orthodox rites and ceremonies like the Hindus!<sup>200</sup>

### Vardhana Epoch

Harshavardhana of Thaneshwar ( 606-648 A. D. ) became emperor of Northern India and in the later part of his

206 In one of the inscriptions in the caves at Nasik we find it is inscribed "seventh year of Sriyana-Satakarni son of Gotamiputra ... The gift of Indragiri son of Dhammadeva the Yavana (Yona, i. e., Greek) a northerner from Dattamitri him inspired by true religion, this cave has been caused to be excavated (no. 4). Again we find "The gift of the Saka (Scythian) Damachika Vudhika, a writer, sc. Vishnudatta (No. 26) . further, we find the name of lay devotee, the Sakani, mother of the Ganapaka (accountant) Viscavarma ... daughter of Aghnivarma the Saka, for the well-being and happiness of all beings, in order to provide medicine for the sick of the Sangha of monks of whatever sects and origin dwelling in this monastery on the mountain Trirami ( No. 8 ). Further, in the Inscription No. 10, it is written Ushavadatta, Dinikaa' son, son-in-law of king Nahapana the kshaharata kshatrapa, has given two hundred thousand cows, who has made gifts of money and tirtha the river Baranasi, who has given sixteen villages to the gods and Brahmans, who call one hundred thousand Brahmans to be fed the ( whole ) year round, who has given eight wives of Brahmans at the religious tirtha of Prabhasa...inspired by true religion Gobardhan, has caused this cave to be made...there I bathed and gave three thousand cows and a village " Thus it is evident he became a devout follower of Brahman. Again in No. 11, we read about his wife Dakhamitra who was daughter of Indragiri Nahapana dedicating a cell. Vide Ep. Ind., vol. 8, pp. 78-95. Again, in the Inscriptions written in Kharosthi script have been discovered in which persons bearing Greek and Kuian names have dedicated stupas with the relics of Buddha. vide—C. I. vol. ii, pt. I. Kharosthi Inscriptions. Edited by Sten Konow.

Buddhism again got the upper-hand. The Vardhana family was a Vaishya one. It seems the occupation of the Vaishyas have undergone a change in this epoch. The Vaishyas have left agriculture and husbandry and took solely to commerce. It seems the Vaishyas were mainly Buddhists<sup>207</sup> as attested by the epigraphic records, and as such they were averse to taking of life, hence they left the abovementioned profession to the Sudras. Now, the Vaishyas not only took to trade, the prosperous among them captured the guilds as Vrihaspati testifies that the executive of the guild was to be elected from "men sprung from noble families and skilled in every business" (Vrihaspati, xvii. 9). Thus it seems there have been a forward march of the Vaishya class in this period and we won't wonder if the Vaishya Vardhanas at last made a bid for the imperial crown of India. And in the success of Harshavardhana we find the Vaishya class elevating itself as the ruling class in North India! This change of the class of the rulers has been noticed by Hieuen Tsang, the Chinese Buddhist pilgrim who wrote "Sovereignty for many successive generations have been exercised by the Kshatriyas alone. Rebellions and regicides have occasionally arisen, other castes assuming the distinction."<sup>208</sup>

The noticeable thing of the epoch is the division created in the Vaishya class by their removal from agricultural pursuits. We have seen already that the Vaishya was the peasant and husbandman of ancient time. He was called an "Arya,"

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<sup>208</sup> Hieuen Tsang—translated by Watters, Vol. p. 170.



*i.e.*, one who tills. But it seems with spread of the feeling of the Buddhist sentiment of "not killing" and especially under the rule of the Vaishya emperor Harsha, the occupation was completely changed. Henceforth the Vaishya was *vanij* (trader) only. Agriculture and husbandry were left in the hands of the Sudras only. Henceforth, the cultivator was a Sudra, but, "In the Panjab and elsewhere, however, several communities did not mind this prohibition, and hence their sinking in public estimation to the ranks of the Sudras."<sup>20</sup>

The most remarkable incident of this epoch was the fight between Sasanka the Brahman king of West-Bengal, the champion of Brahmanism, and Harsha the Vaishya king, the champion of heterodoxy. The newly discovered book "*manjusrimulakalpa*" says, Sasanka was a Brahman. In its hatred of Sasanka the Brahmanist, it does not mention his name, but calls him "Soma." Thus it says, "Then, *Soma*, an unparalleled hero will become king up to the banks of the Ganges, up to Benares and beyond."<sup>21</sup> He, of wicked intellect, will destroy the beautiful image of the Buddha ... Then that angry and greedy evil-doer of false notions and bad opinion will fell down all the monasteries, gardens, and *chaityas*; and rest-houses of the Jainas (*nigranthas*)."<sup>22</sup> Then the author narrates about Harsha the opponent of Sasanka. He, "will be an unrivalled hero ... that brave man of over-powering prowess, decides against the famous Soma. The powerful Vaishya king with a large army marched against the eastern country, against the excellent capital called Pundra of that characterless man ... He defeated Soma, the pursuer of wicked deeds ... He returned having been honoured in that kingdom of the barbarian (*mlechcha*)."<sup>23</sup>

209 S. K. Das; *op. cit.*, pp. 289-290.

210 The Ganjam plate (Ed. Ind., vol. vi, pp. 143-146) speaks of Sasankaraja being the paramount king in Kalinga as well.

211, 212 K. P. Jayaswal: "An Imperial History of India" pp. 49-50, 50.

Then the Buddhist historian says "Soma, gave largess to Brahmans ... He died of a disease in his mouth, having been eaten by worms and went down to hell. His capital was then destroyed by divine agency. His life was destroyed by magic (*mantra*) done by men ... and he died." Then the author further describes the life of this Brahman king in hell.<sup>213</sup>

In this narration of the Buddhist historian, some important facts are to be gleaned that Sasanka (Soma) was the champion of Brahmanism and the patron of the Brahmans, and he destroyed the Buddhist and Jaina religious establishments. Then Harsha chastised him. Indian History says that there were constant feuds between the two kings, and after the death of Sasanka, Harshavardhana established a big empire in the north.<sup>214</sup> It is clear that the Brahman Sasanka was the champion of the vested interests of Brahmanism and the Vaishya Harsha the champion of heterodoxy. Hence the Buddhist historian anathematized him even after his death!

The death of Harshavardhana in 648 A.D. did not end the domination of the Vardhan dynasty as older histories say. *Manjusrimulakalpa* gives a piece of news that Dharasena IV of Valabhi<sup>215</sup> the grandson and heir of Harsha succeeded to the imperial throne (646-649 A.D.).<sup>216</sup> He was a Kshatriya by caste and fond of Buddhism. His heir and successor was an All-Indian emperor who decorated the "whole empire with Buddha images, monasteries and relic-memorials."<sup>217</sup>

213. 216, 217 K. P. Jayaswal : "An Imperial History of India," pp. 50-59

214 R. C. Mazumdar : "A Brief History of India," p. 42.

215 The Valabhi Kings claimed their descent from Maitraka. Some historians suspect them to be of foreign origin. But in the inscriptions they are described as devout followers of Brahmanism following "the conduct laid down in all the Smritis and they were worshippers of Mahesvara." One of these kings Maharaja Dhruvasena I had the title of *mahasamanta*. This means that originally they were feudatories to some overlord. *Vide—Ep. Ind.*, vol. xi, No. 9. "Five Valabhi Plates," p. 117.

Here we see that the daughter of the Vaishya Vardhana dynasty married to a Kshatriya ruler. Also we find that in this period though short, non-Brahmanical Buddhist dynasties ruling over India, and Buddhism was getting favours of those monarchs. Naturally we would expect a sharp conflict between the representatives of two interests led by the Brahmans and the non-Brahmans.

### Struggle of Nations

After the end of the Vardhana epoch we find *Daemmerung* set in the Indian history over again. The cauldron of Indian society was boiling and overflowing new contents. Society, as a result of this boiling was taking new shapes. Old politics and institutions were changing and giving shape to the new forms that are to appear shortly on the platform of Indian history. With the middle of the eighth century the boiling was over, and we see new peoples have come up on the fields and contending for the mastery of India. In this era, we find the Palas of Bengal, the Gurjara-Pratiharas of Rajputana, and the Rashtrakutas of the Deccan were bidding for the empire of India. As it is not our duty here to enquire into the political history, we will simply try to enquire which were the classes that appeared on the Indian horizon in this period.

After the Brahmanist revival under Sasanka, we hear nothing of Bengal. But *Manjusrimulakalpa* says there was anarchy in Bengal—"One (king) for a week; another for a month; then a republican constitution—such will be the daily condition of the country on this bank of the Ganges where houses were built of the ruins of monasteries."<sup>218</sup> Again, after the end of the Gupta rule in Bengal, the people elected Bhadra, a Sudra who was 'a leader of the people' to be their King.

Manjusrimulakalpa says, "He destroys Brahman feudal lords, recluses of good conduct, and others."<sup>219</sup> Then, there will be anarchy, and the people will elect Gopala. "The Gopalas will be king who will be of the menial caste (*dasajibina*)"<sup>220</sup> and the people will be miserable with Brahmins."<sup>221</sup> Thus being tired of anarchy (*matsa-nyaya*) the people of Bengal elected an elderly man Gopala to be their king. He was the founder of the Buddhist dynasty of the Palas which steered the course of the histories of Bengal and Maghadha for a long time. The Palas were one of the most remarkable ruling dynasties that India ever had and it lasted longest than any other ruling families. Under the Palas Buddhism got a vigorous impetus in Eastern India and the lower orders came to the forefront. The Palas had been Sudras, and in Eastern India we see once more the political influence of the Sudras playing its role in Indian history.

According to Jayaswal, this popular election "proved "That the Bengalees had freed their mind, emancipated themselves from the Vedic theory of caste superiority, in that early time, the 8th century A. D. By that big political act they repealed, so to say, the Institutes of Manu. The election of a Sudra to kingship was as big a thing as the doctrine of *egalite* in 1769 A.D. To say, make a Sudra King, and to do it, was to break the slavery of mind perpetuated for ages ... Here the Gaudas were

220 The origin of the Pala dynasty is still a matter of debate. Lama Taranatha says, a Kshatriya-maiden living on the country extended from Malhyadesa to the eastern forest of Pandravardhan (*i. e.*, from the upper gangetic valley to the eastern border of Bogra district of Bengal) was married to a tree-god and Gopala was the offspring who with the blessing of Chunda-levi got a talisman. killed the she-monster who used to devour the elected kings and got himself elected. *vide*—Geschichte des Buddhismus in Indien" translated by Schiefner, p. 28.

219, 221 K. P. Jayaswal: *op. cit.*, pp. 71, 72.

222 *Ide*—Khalimpur Inscription of Dharmapala-eva—line 4 (Gaudalekhamala in Bengalee).

innovators, and emancipated; and Sudra added a chapter of glory to the history of India."<sup>223</sup>

The rise of the Pala dynasty in Bengal was a great event in Eastern India. It meant the uprise of the lowly and the down-trodden. We have already seen that Bengal was under the domination of the upper *varnas* for a long time, and the province was ridden with the Brahman priests.<sup>224</sup> Even the Brahmins have elevated themselves as Kings and feudal barons. In such a situation, the repeated elections of the Sudra monarchs were great revolutionary steps taken by the people of Bengal. Naturally, it presupposes the fact that the Sudras were economically hence socially strong enough to make their voice felt repeatedly in political field.

Thus the election of Gopala who was a non-Buddhist<sup>225</sup> and of menial *varna*, took place in a country when we have already noticed the existence of Brahman feudal barons, throws much light on the social history of Bengal of those days. The Palas were from the people and they were dear to the people. Even in the days of the Vaishnava reformer Chaitanya the tradition of the Palas existed in the folklores of Bengal, and the people "while thrashing rice were singing the songs of Mahipal;" again, "the people were glad to hear the songs about "Jogipal, Mahipal and Bhogipal!" Perhaps in the boundaries of Bengal the songs about the Palas are still current amongst the village people.<sup>226</sup>

223 K. P. Jayaswal : *op. cit.* p. 45.

224 Epigraphic testimony clearly shows that the Brahmins were getting lands in Bengal from the Gupta era. *vide*—"The Five Damodarapur copper plates Inscriptions of the Gupta Period," in *Ep. Ind.*, vol. 15, pp. 113-141.

225 *Vide*—Jayaswal : *op. cit.*, His descendants became Buddhists. p. 45. But the Pala Inscriptions show that they used to observe Brahmanical rites as well. They were called as 'the Refuge of the *varnas*.' *vide*—Angachi Inscription of Vighrahapala iii. line 13.

226 Vincent Smith : "Early History of India." N. N. Vasu : "Buddhism in Modern Orissa."

The imperial rule of the Palas the high watermark of whose conquest extended up to Jallandhar in the west, Kamrupa ( Assam ) in the east, Himalayas in the north and the Vindhya in the South<sup>227</sup> was the rule and dominance of the Sudras in Eastern India. While the ruler was of menial *varna*<sup>228</sup> it won't be a wonder that the low orders and the men farthest down will get opportunities to rise at the top and to elevate their classes. The traditions of Bengal bear testimony to these phenomena. It is said, those "castes" which nowadays are regarded as "untouchables" have supplied officers and soldiers of the Palas, and there have been feudal aristocrats from Sudra *varna* of lower orders. An epic poem entitled "Dharma Mangal" written by one Ghanaram Chakravarty of Burdwan in Bengal in the eighteenth century A.D. gives us an idea of the social conditions of those days. Though the book was written in modern time and in modern Bengali language, it contains much of Buddhist traditions of the days of the imperial Palas. The plot of the poem is woven around one Lausen,<sup>229</sup> the son of a feudal baron and the sister-in-law of the greatest monarch of the Pala dynasty Dharmapala. Lausen is chosen by god Dharma to be the vehicle of establishing the glory of Dharma Thakur.<sup>230</sup> From

227 *Vide*—Lama Taranath's History, Vincent Smith and R. C. Mazumdar, Khalimpur Inscription (line 12). In the Monghyr Inscription of Devapaladeva it is said that Dharmapala's empire extended from the Himalayas to Cape Comorin (*śrutabandha* of Rama), *vide*—line 15. Also he was said to have established the Brahmans and the other *varnas* in their avocations according to the *shastras* (line 5).

228 It seems the Palas while speaking of their ancestry have nowhere spoken about their *varna* !

229 The historicity of Lausen is being doubted. But Lama Taranatha's book contains the name of one Lavasena (sanskrit form of Lausen) the minister of Jakshapala the son of Rampala. Lausena usurped the throne, and his family was ruling when the Turkish-moslems invaded Bengal. *vide*—History, ch. 29, p. 252. It seems Taranatha has mixed up the historical Sena dynasty with Lausen of traditions !

230 It is believed that the "Dharma-cult has got something to do with Mahayana Buddhism. Also it may be possible that some sort of aboriginal element of religion

this poem, which can be called as the national epic of Bengal, we get the information that the members of those castes which are known to-day as untouchables were the feudal barons, high civil and military officers<sup>231</sup> in the time of emperor Dharmapala. This will sound strange and unthinkable in the ears of the people of present-day Bengal ! But if the imperial family could originate from a menial caste,<sup>232</sup> it won't be a wonder that governmental officers would be from lower orders. Of course history bears testimony that Brahmans also have been appointed in ministerial posts.

From Manjusrimulakalpa it is evident that the Sudra came out victorious in the struggle of the *varnas* in Bengal and achieved sovereignty. History says that Bengal saw her palmiest days in the Hindu period of Indian history under this Sudra rule. Also, there was a revival of Mahayana Buddhism in this epoch, as Lama Taranatha<sup>233</sup> says that the appearance of the *Siddhas* (Saints with magic power) though never ceased in India became incessant since the accession of Dharmapala to

has got mixed up with the *mahayana* sect. "Dharma Thakur" is still worshipped by the so-called lower classes and the untouchables though the Brahmans have taken it up.

231 In this poem, Indra Mete (untouchable caste) was the *hotwal* (Head Police Official) of Gaur, the capital of Dharmapala ; a Chandal held the same post at Dhakur, a feudal state of which Ichai Ghose was the lord. This person might have been a *goala* (milkman's caste). Then Kalu Dom (untouchable caste) was the general of Lausen whose caste was not given. The Doms of Kamarupa living around Gauhati claim to be the descendants of General Kalu Dom who went with Lausen during his conquest of Kamarupa. *Vide*—N. N. Vasu—"History of Kamarupa." Vol. I. p. 211.

232 In a very late period of the Pala dynasty their Brahman minister Vaidyada (Kamauli Inscription, l. 2), called his master Vigrhapala III as descendant of Solar dynasty. Taranatha calls them likewise (ch. 29, p. 252) while "Ballalacharita" a Sanskrit book written in 15th. century A.D. calls them as low class of Kahatriyas. This is how caste designation changes in India after elevation to power.

233 Taranatha "Edelsteinmine" translated into German by Gruenwedel.

the throne. Some of these Siddhas were from lower order of the society.

Later on, in the middle of the eleventh century, there was the great rebellion of the people under Dibboka. This is known as the *kaivarta* rebellion.<sup>234</sup> It may be that this was a rebellion of the people of Varendra (North Bengal) against the tyranny of Mahipal II. North Bengal was temporarily lost to the Palas, and Dibboka's nephew Bhima was crowned as King. Though the rebellion was finally crushed by Rampala, the successor of Mahipala, it shattered the power and prestige of the imperial Palas.<sup>235</sup>

In this rebellion we again see the strength of the Sudra order in Bengal.

Another important people that appeared in Indian history of this epoch were the Gurjara-Pratiharas. These people were not mentioned in the Indian literature of former epochs. Hence there have been great discussions about the origin of these people. The tendency of the historians<sup>236</sup> is to regard them as "one of those central Asiatic hordes that poured into India from time to time through its north-western passes, became a prominent political factor for some time, and ultimately merged into her vast population, hardly leaving any trace of their foreign origin."<sup>237</sup> But opinions differ regarding the racial

234 *Vide*—Sandhakar Nandi's "Ram Charitra" (in Sanskrit).

235 R. C. Mazumdar: *op cit.*, p. 62.

236 R. C. Mazumdar: "The Gurjara Pratiharas" in Jour. of Deptt of Letters vol. x. 1923.

237 *Vide*—Vincent Smith who says, "The way on which record frequently bracket them with the Huns suggests that the two races were closely connected ... Many varieties of this Indo-Sassanian coinage, especially those bearing the names of Toramana and Mihirgula or Mihirkula, can be recognized with certainty as Hun issues. The long series of Gadhiya or Gadhaiya coins in base silver and copper or bronze, although usually without legends or dates, may be assigned now with equal confidence to the Gurjaras. These coins, which present the Sassanian type in its utmost degradation are found most abundantly in the countries occupied by the



origin of this people; from the Tartar "Khazars"<sup>238</sup> to Denikar's "Indo-Afghan" and Risley's "Indo-Aryan"<sup>239</sup> all theories have been applied to them. Anthropologically they are a dolichocephalic-leptorrhinian element. These characteristics they have in common with the other<sup>240</sup> tribes of North-India who are labelled as "Indo-Afghan" type.<sup>241</sup> The only thing about their foreign connection is that they are mentioned together with the Huns.

But as alliance or close connection does not signify the identity of race, we cannot take them to be a central-Asiatic horde. Their physical characteristics according to the reports of the anthropologists, suggest them to be of North-Indian affinity.

Gurjara clans (which quickly developed into Hindu castes). We can thus see that the numismatic connection between the Huns and Gurjars is extremely close. The numismatic evidence also indicates that the Gurjars were immigrants of later date than the Huns" ("The Gurjars of Rajputana and Kanauj" in J. R. A. S. of Great Britain and Ireland, Jan. 1909, pp. 54-61).

Mr. Smith forgot to consider that the Huns of Attila when invaded Europe were not a homogeneous group. They in their invasions picked up local European tribes as well. Jenghiz Khan's army that invaded Europe was also not composed of pure Mongols. Likewise Mahmud of Ghazni's army that invaded India was not purely Turkish. He had the "Afghans" and Khakhs" as auxiliaries in his army. In the same way, some Indian tribes might have been the campfollowers of Toramana the Hun! We have already seen that the tribe of Hindu writer caste—Sakshena Kayasthas probably owed their name for identifying themselves with the interests of the Sakas. Then those Gurjar-Pratihara tribes of India who became the camp followers of the Huns in India might have copied the coins of their masters who were naturally their ideal. A close connection cannot signify identity of race.

238 Baines: "Ethnography" in *Grundriss of Indo-Aryan Philology*, p. 14; also "Bombay Gazetteer," vol. ix.

239 Risley: "The People of India."

240 Regarding anthropological characteristics of the Gujars(Gurjars) besides Risley, see also Drake-Brockelman's measurements in Crooke's "Tribes and Castes of the North Western Provinces and Oudh."

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Anyway, during this epoch, the Gurjara-Pratiharas became the lords of Western India. As we are concerned about their social status we find the Pratiharas to be the most dominant group amongst the Gurjars and played an important part in the history of India of this epoch.<sup>242</sup> Whatever be their racial origin, the Pratiharas were elevated to the rank of the Kshatriyas.<sup>243</sup> The Jodhpur inscription of Pratihara Bauka narrates that Harichandra the founder of the family was a Brahman. He married two wives; one was a Brahman lady, the other one was from Kshatriya family. The sons born of the Brahman wife, became "Pratihara Brahmanas" while those "born of the Kshatriya wife, became the founders of the Pratihara royal dynasty." Here is a tradition that again gives evidence that the Brahmanas and Kshatriyas sprung from the same families. The Pratihara clan claimed their descent from Lakshmana, one of the heroes of Ramayana, whose duty was to sit as a door-keeper in the Court of his brother Rama. As he was a pratihara (door-keeper) to his brother his descendants were known as "Pratihara Kshatriyas."<sup>244</sup> Mr. Mazumdar<sup>245</sup> suggests that "The fact possibly was that Harichandra versed in the

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But in their own inscriptions published in Ep. Ind vol 9 they speak of themselves as of Pratihara caste or family vide Buchkala Inscription of Nagabhata. No. 27, p. 199; "Ghatiya Inscription of Kakuka" No. 38. Nos. I & II. The plate No. I speaks of "Good Dwija Harischandra who was Guru of the family of the Pratihara" (L. 1). It is evident that the Pratiharas were the ruling family of the Gurjars.

243 J. R. A. S. 1894 p 1.

244 Such fantastic stories are always made in India when a *pervenu* family or a group of people get elevated to a higher status. In order to defend their present status, they must invent some fictitious genealogies tracing a noble origin!

245 R. C. Mazumdar—*op. cit.* p. 15.

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Shastras, began his life as a preceptor in one of the peaceful settlements of the Gurjars in the Panjab, but when the tribes once more resumed their military campaign, his racial instincts triumphed over the veneer of his borrowed culture and he changed the Shastra (religious book) for the Sastra (weapon).” This would mean that Harichandra belonged to the Gurjar tribe, but in the beginning of his career, he was a sort of “medicine-man” of the tribe, hence at that time his function was like that of a priest; later on, he turned himself into a fighter. Translated into the terms of the orthodox Brahmanical polity it would be said that at first he was functioning as a Brahman, later on, he became a Kshatriya. Hence his children according to the periods of his different functions became different Varnas !

That a tribal priest or the priests of the untouchable castes have changed themselves into full-fledged Brahmins are not rare instances in Hindu society.”<sup>46</sup>

But whatever may be the origin of this tribe the fact is that while the Pratiharas were ranked as Kshatriyas and they were mentioned as one of the “Agnikula Rajputs,” the Gurjars of to-day have become degraded Sudras ! Yet in the Rajor inscription of Mathanadeva ( 960 A. D.) he speaks himself of “Gurjara—Pratihara lineage.”<sup>47</sup> In the Panjab, they are mostly Muhammedans. In the Panjab, Ibbetson’s report says, “He is of the same social standing as the Jat or perhaps slightly inferior.”<sup>48</sup> This signifies to-day he is Sudra of lower order,

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247 Ep. Ind. vol. iii. No. 36.

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while the Pratihara section has been taken in the Rajput fold because they have been an imperial clan of the epoch. Thus in the class-struggle that section or the clan that could elevate itself gained a higher status than the less fortunate section.

The other nation that arose in the epoch was the Rashtrakutas. They arose in the South where they supplanted the Chalukyas.<sup>249</sup> According to the inscriptions the former are said to belong to the ancient Lunar race of Kshatriyas (Khara ten plate J. B. B. R. A. S. vol I. p. 212) while the latter are said to belong to the Solar race.<sup>250</sup> But Bhandarkar regards the Chalukyas as of priestly origin and this is not accepted by Vaidya.<sup>251</sup> From this epoch we begin to hear of the Kshatriyas again. Hence the question arises who were these Kshatriyas? Also we hear of the worship of Pauranic gods or Brahmanism under the rules of these dynasties. Thus we see that Brahmanism was dominant at the period in question.<sup>252</sup>

Again, in the Bengal history of this period and in the period of the rule of the Palas and the Senas, we find that both Dharmapala, the second monarch of the Pala dynasty of Bengal and Narayanpala the father of king Rampala who quelled the Kaivarta rebellion, married the daughters of the Rashtrakuta kings.<sup>253</sup> Later, we find that king Ballala Sena of Bengal

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250, 251 Vaidya "History of Mediaeval India" vol. i, pp. 81-82, 86.

252 R. G. Bhandarkar, "Early History of the Dekkan" pp. 102-132.

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married in the Chalukya family of Deccan.<sup>254</sup> But we know that the Palas were Sudras and the Senas of Bengal called themselves as 'Brahma-Kshatriyas' *i. e.*, Brahmins who have taken the profession of Kshatriyas. These historical evidences show that intermarriages were going on between different Varnas in those days; also, profession was determining the Varna of the man. This is clearly illustrated in the case of the Brahma-Kshatriya Senas of Bengal, and in the Kadamba dynasty of the South. The founder of this dynasty was one Mayurasarman, a Brahmin, but acquiring a kingdom the family changed its patronymic to Varman the designation of a Kshatriya. Thus we see in the Gupta epoch, king Kakustha Varman of this dynasty giving away his daughters in marriage to the Gupta and other kings.<sup>255</sup>

### The Rise of the Rajputs

The rise of the Rajputs in the epoch following the death of Harshavardhana and their rule over Northern India till the invasion of Mahmud ben Ghori in 1192 A. D. is an interesting chapter of the social history of India. After the decline of the powers of the Palas, Gurjara-Pratiharas and the Rashtrakutas, we find various clans calling themselves Kshatriyas, were carving out principalities all over Northern India. These clans practised the customs of blood-feud and blood-bond, *Nobless oblige* and honour were regarded as cardinal virtues, again the pride of birth and clan-spirit was too strong with them. A despot was the ruler of the clan, every fighter was of the moss-trooper type and each clan had its hereditary minstrel families to sing

254 "Madhainagar Copperplate" Inscription of Lakshmanasena speaks of his mother Ramadevi as the daughter of the Chalukya King (1115-16) vide "Inscriptions of Bengal" vol III, p III.

255 Talagunda Inscription. Ep. Ind. vol VIII, 33 ff; also vide I. H. S. 1935, 167.

their heroic exploits. In short there was a reversal to the ancient tribal days ! Further, the Rajputs brought well-defined feudalism with them.<sup>256</sup> Their feudalistic polity and constant tribal fights made them incapable to fuse together and to form a nation. Hence, with the Muhammedan invasion, one by one the Rajput states fell. With their fall the Hindus of North-India lost their independence.

The name Rajput was unknown in the ancient literature of India. We have seen that the word "Rajanya" had been in use in the Vedic period. Later on the word "Kshatriya" came in vogue to denote the ruling *Varna*. But from mediaeval period we begin to hear of the Rajputs. The word "Rajput" is colloquial for the Sanskrit form *rajaputra*—a son of a *raja*. Hence it has got the same import as the Vedic word "Rajanya." But it is not the same as the word "Chatri" the colloquial for Kshatriya. A Rajput is a Chatri, *i.e.*, Kshatriya, but he is something more than that. He is a member of a well-defined and exclusive social circle. He is a descendant of the thirty-six families mentioned in the Chand's "Raj Rasau." That is, only the 36 clans tabulated in this book are the accredited Rajputs with whom they intermarry. Outside this circle there are other groups in different parts of India who also claim to be good Kshatriyas and perform the same function in the society, *i.e.*, they are military orders, yet they are not Rajputs. Hence it behoves us to enquire about the Rajputs.

In the period following the death of Harshavardhana we meet amongst the list of the official posts mentioned in various inscriptions the word *rajaputra*. It did not occur in the inscription of Harsha himself where instead the word "Rajasthania" appears.<sup>257</sup> Again, in the Benares copper plate of Karnadeva,<sup>258</sup>

256 P. N. Banerjee : "Public Administration in Ancient India" p. 52.

257 "Banskhera plate of Harsha," Ep. Ind., vol. 4, No. 29, p. 211.

258 Ep. Ind., vol. 2, No. 23, p. 309.

the lord of Trikalanga, the official title of "Maharajputra" occurs. It is dated in the Chedi year 793 which will be in the Eleventh century after Christ. Further, in the copper-plate of Madanapaladeva of Bengal along with the list of other officials, the word "Rajaputra" is to be found.<sup>259</sup> Also the same word again is to be found in the plates of Dharmapaladeva and Mahipaladeva.<sup>260</sup> Again, in the South Indian plate inscription of Indravarmanadeva (eleventh to twelfth century A.D.) the word is to be found.<sup>261</sup> Further, it is to be found in the list of officials of Ballalasena of Bengal.<sup>262</sup> Other titles that are to be found are Rajakula, Maharajakula, Samastamaharajakula.<sup>263</sup> These designations seem to be the titles of posts and not of particular castes. Otherwise how the term Rajaputra came to be used in the Bengal and South Indian inscriptions where the 'Rajput' caste had not its habitat. In the case of the latter ones they seem to be the personal titles. The last title 'Samastamaharajakula' is applied to the Guhila Samarsimha in an Udaypur Inscription of 1344 of Vikramadate.<sup>264</sup> The word Rajaputra also means a son of a Raja. On the other hand in some places even today it has got an opprobrious meaning. An illegitimate son of a Raja or a Kshatriya nobleman is given this designation! In the mediaeval period, Vrihaspati, a law-giver in Bengal said that one will incur the loss of caste by intermarriage with a Rajaputra!<sup>265</sup> The Sanskrit word 'Rajaputra' has been changed into modern colloquial 'Rajput'. How the old designations like 'Kayastha', 'Karana' and 'Rajaputra' began to be applied to various present-day castes, some of whom are divided into various tribes, are the subject-matters of historical

259, 260 "Gauda-Lekhamala," No. 12 ; No. 6 ; No. 1.

261 "Madras Museum plates," *vide*, Q. A. H. R. S.—July, 1928.

262 "Inscriptions of Bengal," vol. III.

263, 264 Ep. Ind., vol. iv, p. 312.

265 N. N. Vasu : "Vanger Jatiya Itihasa, Dakskin-Rahriya Kayastha Kanda," (pt. D).

investigation. The "Brahmavaivarta-Purana" and the latter-day "Ballala Charita" speaks of Rajaputra or Rajput which it takes as, synonymous with Chatri to be the offspring of a mixed marriage. Whatever be the origin of the word, as the rulers of the state, the Rajputs were very much respected. Mr. Vaidya says, "They were first looked upon as even higher than Brahmans. This higher status of the Rajputs described by Arab travellers of the preceding century is not mentioned by Alberuni who speaks more from Hindu law books than from actual observation ... yet they were considered equal to the Brahmans in all respects as Alberuni himself admits that their degree is not much below that of the Brahmans."<sup>266</sup> The present-day observers notice the fact that in Rajaputana where the Rajputs still rule in a feudal manner, they form the most superior order.

It has been said before that the Rajput society is a closed one. The thirty-six families or clans formed a closed society and intermarriage was allowed only amongst themselves. Mr. Vaidya thus says, "In the usual manner, the Rajput or ruling families of India (!) constituted themselves into a sub-section about 1100 A. D. by the enumeration of the orthodox pure Kshatriya ruling families of the time. In this enumeration Panjab remained naturally excluded, being then entirely under Muhammedan rule. The Himalayan families did not come into enumeration for another reason. The South-Indian ruling families were also excluded as they were apparently not considered of pure Aryan race and of Kshatriya descent. The Kshatriya families of Maharastra were ... included as they had continuous marriage relations with the ruling Kshatriya families of Northern India."<sup>267</sup> Mr. Vaidya further says that the Senas of

<sup>266</sup> Vaidya, vol. iii. pp. 383-384.

<sup>267</sup> Vaidya, vol. iii, pp. 384 ; 385 ; 385.

Bengal are excluded from this list as he thinks they have not established their power in Bengal in that time.<sup>268</sup> But time came when this group cut off its relations with the Maratha group. "The Maratha Kshatriyas consequently after this period, including the Silaharas (they are mentioned in thirty-six Royal clans in *Rasa*) became a separate group or sub-caste and they too had their own enumeration of ninety-six Maratha families to which marriage was henceforth confined."<sup>269</sup>

Likewise, the ancient Andhras have their own Kshatriyas who are called Raju and Vellala; and they are a group by themselves. Again, there are families in the extreme southern part of India calling themselves Kshatriyas but keeping themselves separate. Finally, in Bengal from the end of the eleventh or the twelfth century we find the Senas<sup>270</sup> who call themselves as *Karnata Brahma-Kshatriyas*.<sup>271</sup> It means, that they were originally connected with the Karnata (South-India) country and they were Brahmans who have taken up the profession of Kshatriya and have inter-married with the Chalukyas.<sup>272</sup> Also, no mention is made of the Palas who were reigning in

268, 269 Vaidya, vol. . . . 4; 385; 385.

270 N. G. Mukherjee: "Inscriptions of Bengal", Vol. III, *vide* Madhainagar grant of Lakshmana Sena, p. 108; Deopara inscription of Vijayasena, p. 44;

271 "Ballala Charita" of Ananda Bhatta written in Sanskrit in fifteenth century A. D. speaks of the Brahma-Kshatriyas and of the Rajaputras in Bengal, and of the Kshatriyas of Bengal who were purified and reinstalled in their caste by Ballala Sena by making an examination of their genealogies. "Sheikh-Savodaya" another newly discovered Sanskrit book supposed to be written by Halayudha the reputed minister of Lakshmana Sena but the date assigned by the critics to be of the period of Todarmall's land-survey of Rengal, speaks of the Rajputra caste. Again, 'Prem Bilas' a piece of Bengal Vaishnavite Literature written in seventeenth Century A. D. speaks of the Brahma-Kshatriyas dwelling on the banks of the Padma river.

272 Lakshmana Sena's mother was a Chalukya princess. *vide*—"Inscriptions of Bengal." vol. III, p. 108.

Magadha (Behar) in that period and who have been inter-marrying with the Kshatriyas for a long time.

Thus it is evident that the Rajputs formed a close group of their own. According to Vaidya this is due to their being pure Kshatriyas of the "Aryan" race. This brings us to the question of their racial origin.

### The origin of the Rajputs

Mr. Vaidya suggests that we may "well believe that the Rajputs are the descendants of the Vedic Kshatriyas"<sup>273</sup> and "they have preserved the *gotras* and *pravars* of Vedas".<sup>274</sup> In the same way he thinks the Maratha caste is of ancient Vedic lineage. Speaking of the Marathas, Vaidya says, "These Aryan settlers in Berar and Deccan were Aryans of the Lunar race".<sup>275</sup>

In order to substantiate the claim of purity of descent from the ancient stock, the test of physical anthropology must be applied to these castes. We have already seen the result that we have got from the data on the Rajputs. As regards the Marathas, Haddon says<sup>276</sup> the *Marathi Gati* have average cephalic index of 78.3 and nasal index of 81.0 and *Sukum Sale Marathi* have average cephalic index of 82.2 and nasal index 74.0. That is, the former is of mesocephal-mesorrhinian characteristics, while the latter is of brachycephal-mesorrhinian type. Thus we find that there is variance amongst the caste itself ! Thus it is evident they are not a homogeneous group. Further, the anthropologists nowadays speak of the presence of a brachycephalic strain of "Eurasian" or "Armenoid" element amongst the people of the Bombay Presidency.<sup>277</sup> Again the

273, 274 Vaidya, Vol. IV, p. 50, 49. 8. But all the Rajput historical ruling families have not Vedic or Pauranic *gotras*, *vide*: the *Chitor family* has got 'vajjapa' Gotra and the Jajpur family 'Manava' gotra.

275 Vol. I, p. 80.

276, 277 Haddon, "The Races of Man" pp. 107-111.



latest ethnographic report on India speaking about the inter-relations between the peoples of different provinces says that the associations of Western India with the peoples of North India is more remote.<sup>278</sup> On the other hand, it speaks of the wider relationship between the Marathas and the Pods (a depressed caste) of Bengal !

Thus we cannot say that anthropologically the Rajputs and the Marathas are united. They cannot be said to be the same biotypes. Further, we have seen that to speak of an Indo-Aryan biotype is a misnomer. Hence the ancient Kshatriyas, the present-day Rajputs and the Marathas cannot be held to be identical in race. The identity of the *gotras* and *prabars* are no evidence of the racial identity, as other castes have the same identical *gotras*.<sup>279</sup> Again, *gotras* can be changed and new ones can be adopted.<sup>280</sup> This is happening in present-day India as well.

The Marathas of the Deccan have all along been counted as Sudras, though some of the aristocratic families arrogated to themselves the position of the descendants of the Rajputs, hence belonging to the ancient Kshatriya class, or directly descended from the last as Mr. Vaidya would make us believe.<sup>281</sup> This question came to a head in the time of the Coronation of Shivaji, the founder of the Maratha empire. As Mr. Jadunath Sarkar says, "Shivaji and his father-in-law Gaikwar were

278 Census of India, 1931. Vol. I, India, pt. III, Ethnographical, by B. S. Guha.

279 All the Hindu good castes of Bengal have the Brahmanical *gotras* and their accompanying *prabars*. But that does not entitle them to be Brahmans !

280 *Ibid*—the Vedic story of Sunasepa who when adopted by Visvamitra as his son, adopted his *gotra*. By adoption everyday in India people are changing their *gotras*. Again through social and religious changes people change their *gotras*. *Ibid*—the case of the Lingayats of South India.

281 It might have been that a few ancient aristocratic Maratha families were descended from the Rajputs, but that did not entitle the whole caste to be of Kshatriya order.

Marathas, *i. e.* members of a despised caste ... Shivaji keenly felt his humiliation at the hands of the Brahmans to whose defence and prosperity he had devoted his life: Their insistence on treating him as a Shudra drove him in the arms of Balaji Avaji the leader of the Kayasthas and another victim of Brahmanic pride. Balaji naturally sympathised with his master and tried to raise him in social estimation by engaging Gagaji Bhatta who made Shivaji a pure Kshatriya."<sup>282</sup> But the fact remains that the social status of the Maratha caste within the Hindu orthodox polity of *varnasram* is still a matter of dispute, and the Marathas as a caste are not yet accepted by the Brahmans as Kshatriyas. But this claim to Kshatriyaship arose after the rise of the Marathas as an independent nation under Sivaji. The Kunbi<sup>283</sup> cultivator who is regarded as a Sudra, when became the fighting Maratha and under Sivaji laid the foundation of an independent state then only laid pretensions to the membership of the ancient Kshatriya order! But this claim has been steadily denied by the Brahmans of the Deccan who were an important class in the same province before the rise of Sivaji, and after the death usurped the political power in their own hands.

Thus we see that only after a struggle the Marathas were able to claim higher status, but their social struggle with the ruling and fighting Brahmans of the post-Sivaji era left their status undetermined; while in the case of the Rajputs their status was maintained by their political power and accepted unanimously by the Brahmans.

282 J. N. Sarkar : "Sivaji and His Times", pp. 84-85. Regarding the discussions about the geneology of Shivaji the reader is referred to the writings of Sarkar, Vaidya, S. N. Sen, V. K. Rajwade and Serdesai.

283 It seems there is an ethnic connection between the cultivating Kurmi of the U. P., and the Kunbi of the Deccan; the fighting Kunbi is a Maratha, *vide* Risley : "People of India."

This brings us to the question of the social origin of the Rajputs. We have already seen that somatologically they are not a homogeneous group. It is clear that different racial elements have entered in the composition of the Rajput caste ; amongst these the dominant element is the same that is found in the other castes of to-day. For this reason they cannot be isolated from the rest of the Indians.<sup>284</sup> Hence, it cannot be said that they are a special group. This being so, it behoves us to know more in detail about them.

When North India fell under the domination of the British East India Company and Rajputana accepted the Company as the suzerain power, Colonel Tod was sent to the Rajput States on a diplomatic mission. He, in his sojourn in Rajputana, studied the annals and the traditions of the different Rajput tribes and as a result gave to the outside world the startling news that the Rajputs are the descendants of the ancient invading Scythians and the Huns ! Along with it, he informed the outside world the tradition of a sacrifice (*jajna*) of the Brahmans at Mount 'Abu to create the champions of Brahmanism. This is the famous story of the birth of the "Agnikula" Rajputs. Since then, this story is being reiterated everywhere and arguments have been advanced for and against the foreign origin of the Rajputs.<sup>285</sup>

But Vaidya says the "story of Jajna is a poetic fancy occurred in Chand Bardai in Prithwi Raj Rasa." But external evidences may substantiate the tradition. Further, that the tradition is an old one, is to be seen recorded in a Jaina-inscription at the temple of Neminatha dated possibly 1230—1241 A. D.

<sup>284</sup> Guha speaking about the "Racial likeness of the Peoples of India" in Indian Census of 1931 says that the Pods of Bengal show much wider relationship with the Maratha and the Rajputs as with some other castes outside Bengal. p. vii.

<sup>285</sup> *vide*—Vincent Smith, Bhandarkar, Vaidya and others. Anthropologists have held different views from that of the historical writers.

There speaking about the geneology of the Paramars it is said, "Their ancestor is said to have sprung from the alter of the sacrificial fire of Vasistha."<sup>286</sup>

One of the Agnikula Rajputs is the Parihar Clan and Bhandarkar<sup>287</sup> has shown that the Parihars, and Pratihars are the same and we have known the Pratihars to be a branch of the Gurjars. In an epigraphic record they claim their descent from the Sun.<sup>288</sup> Hence, the question arises, since when the Gurjar tribe become the Vedic Kshatriyas? The same historian further says<sup>289</sup> that the Solankis (Chalukyas), Chauhans (Chahamanas), the Parmars (Paramaras) who complete the list of the Agnikulas were originally divisions of the Gurjars. To this Hoernle would add the Tomars and Kachhwahas.<sup>290</sup> Again, Ibbetson quotes the account given in the Phulkian States Gazetteer which says "of the various branches of the lunar race (*Chandrabansi*), the Badgujar (Bargujar), Kacchwaha, and Shaikhawat Khanps have a common descent".<sup>291</sup> The same authority again quotes Mr. Wilson who notes that the Gujars and the Bargujar tribe of Rajputs are often found together and suggests that the latter may be to the Gujars what the Khanzadahs are to the Meos and what most Rajputs are to the Jats,"<sup>292</sup> i.e., by being elevated to the aristocratic class they have been separated from the masses and disclaim any connection with the latter. Further, in Nabha, in the Panjab, various Gujar tribes vaguely claim Rajput origin.<sup>293</sup>

286 "Jaina Inscriptions at the temple of Neminatha," in Ep. Ind., vol. viii p. 201.

287 Ep. Ind., vol. viii, p. 150.

288 "A glossary of the tribes and castes of the Panjab and North-West Frontier Provinces." Based on the Census.

289 Bhandarkar, J.R.A.S., 1905, pp. 1-4 ; 31-32, 287, 289.

290 A. Hoernle : "Some Problems of Ancient Indian History", in J.R.A.S., 1905 No. III, p. 5.

291 Census Report for the Panjab by late Sir D. Ibbetson, Vol. III, p. 289, 291.

292, 293 *Ibid.*, pp. 310, 312.

Thus various investigators come to the same conclusion that there is an ethnic connection between the Gurjars (modern Gujars) and various Rajput clans. Again, epigraphic investigations about the important Rajput clans tell us that *Guhilots* of Mewar are the descendants of a Nagar Brahman named Guhadatta. In the Atpur inscription (Circa 977 A.D.) of Sakti Kumara, his ancestor Guhadatta is said to have been a *Mahideva* and *Viprakula-nandana*, who came from Anandapur;<sup>294</sup> the *gotra* of the Guhilots is '*Vaijavapa*', and this *gotra* is to be found only with the Nagar Brahmins.<sup>295</sup> In the Chatsu inscription (C. 10th Century A.D.) the Guhila Baladitya described his ancestor Bhartipatta as *Brahma Ksatranvita*.<sup>296</sup> In the '*Rasika-priya*' a commentary on Jayadeva's '*Geeta-Govinda*' by Rana Kumbhakarna, Bappa the founder of the Mewar royal dynasty is referred to as *Dwijapunjaba* and of *Vaijavapa* or *Vayayapa gotra*.<sup>297</sup> Further, in the fourth slab of the Kumbhalgarh inscription of the time of the same Rana Kumbhakarna, he prides himself to be a jewel of the family of the Guhadatta and others.<sup>298</sup> Thus, the descent of the Maharanas of Mewar from one Guhadatta is undisputed and he was a Nagar Brahmin! In this case, a Brahmin by changing his avocation became a Kshatriya.

As regards the *Gahadvalas*, the geneological lists given in their grants speak of their descent from one Vighraha, who is said to have come to this earth when the kings of the solar race had gone to heaven.<sup>299</sup> Here also an indication that the

294 I. A., vol. xxxix, pp. 186 ff.

295 N. N. Vasu, "History of Kamarupa" vol. iii. p. 103. *vide*—also. Nagarakhanda of Skandapurana,

296 Ep. Ind., vol. xii, pp. 10 ff.

297 J. A. S. B. 9109. p. 173.

298 Ep. Ind., vol. xxi, No. 42.

299 I. A., vol. xviii, p. 11, line 1.

Gahadvalas are a new race of Kshatriyas created in the Mediaeval times.

Again, the traditions of the *Paramaras* recorded in the inscriptions trace the origin of the *Paramaras* from the sacrificial fire pit on Mount Abu.<sup>300</sup> In the *Vasantgadh* inscription of Purnapala, his sister queen Īakhini the widow of King Vigraharaja, related that through the anger of the sage Vasistha, there was produced a youth or prince (Kumara) from whom the Pramara or Paramara family sprang.<sup>301</sup> Here, we get the story that a Kshatriya family was created by a Brahman sage.

Further, the Mount Abu inscription of Luntigadeva records that when the solar and lunar races had come to an end, the holy Vachha (*i.e.* Vatsa) brought about the creation of a new race of warriors, the *Chahumana* race.<sup>302</sup> The Chahumanas or Chauhans claimed to be of *vatsa gotra*. According to the verse 12 of the Bijoli rock inscription of Somesvara (No. 154, Kielhorn's Northern List), Samanta, the first Chahuman chief, was born in the *Vatsa gotra* at Ahichhatrapur.<sup>303</sup>

Again, a genealogy of the *Rathoras* of Jodhpur and Bikaner newly discovered trace their descent from the god Siva and his consort Sakti! It contradicts the genealogy given in the Bikaner fort inscription of Raja Raya Singhji which regards the Rathoras as Kshatriyas of Lunar dynasty being the descendants of Santanu. (J. A. S. B., 1920).<sup>304</sup> On the otherhand, the Rashtrakutas, the progenitors of the Rathoras of Rajputana claim to be the descendants of Jadu of the Lunar dynasty. In the grant inscription of Rashtrakuta Indraraja the ruling family

300 Ep. Ind., vol. xiv, p. 298 ff.; vol ix, p. 10 ff.

301 Ep. Ind., vol. ix, No. 2.

302 Ep. Ind., vol. xii, p. 197.

303 Ep. Ind., vol. ix, No. D, p. 71 ff.

304 P. L. Paul in I. H. Q., vol. xii, 1936, p. 145.

claim to be the descendants of Satyaki of the Jadu clan!<sup>305</sup> Thus the geneologies contradict each other !

From the pretensions of these geneologies so much is culled out that a new order of Kshatriyas has been created in a latter period of Indian history, when the ancient Kshatriya caste was non-existent.

Thus apprizing all these geneological claims we come to the conclusion that the story of purification through the performance of a *jajna* by the Brahmans and elevation of the purified groups to the traditional Kshatriya *varna* may not be a myth, especially when we see the Hindu society is performing the same function in various places of present-day India. Hindu religion always says that the *varna* is created according to character ( *Geeta* ). Function is the basis of a *varna*, hence there is nothing in Hindu society against elevating a new group to one of the traditional *varnas* according to the function it performs in the society. The initiation of men from different castes to the neo-kshatriya order is based on fact when further we hear that the Buddhist philosopher Aryadeva remarked that in his days anybody was becoming a Kshatriya !

Then we come to the question of the foreign elements amongst the Rajputs. We have said that the anthropologists do not accept the Scythian origin of the Rajputs. But we see that the Western Kshatras were completely Brahmanized, and the descendants of Chastana the founder of the family who might have been either a Parthian or a Saka had Hindu names ! The last of the line was one Rudra Sinha III.<sup>306</sup> The Sakas and many Javanas ( Hellenistic people ) accepted Brahmanism as attested by archæological discoveries.<sup>307</sup> It is clear that the Saka Kshatras accepted Brahmanism as the Brahman

305 Ep. Ind., vol. ix, No. 4, p. 26-

306, 307 H. C. Ray Chaudhuri : *op. cit.*, pp. 388, 339 ; also *vide*—Ep. Ind. vol, viii, No. 6.

King Pulamayi married the daughter of the Kshatrap Rudradaman, the grandson of Chashtana!<sup>308</sup> History says that this royal dyanasty was put to an end by Chandragupta II in. A.D. 388. But this does not signify that all the Sakas living in the Kingdom for more than two centuries were extirpated! History does not bear any testimony to it. If Rudra Simha III was destroyed, surely there were many other men bearing the name of "Simha" who were the Brahmanized descendants of the original colonists. And exactly within the boundary of the former Saka Satrapy we find that the *jajna* of the tradition took place. Again, latter we find the Gurjara-Pratiharas to have the seat of their empire in the same region. It won't be a wonder that the Brahmans in their eagerness to find their champions against the Jainas and Buddhists would give religious sanctions as the basis of their elevation to the second *varna* of the orthodox polity. Thus it is not impossible that many of the Sakas and the ruling class of the Gurjar tribes became Kshatriyas and got the new appellation "Rajput," i.e., a son of a raja. This new name differentiates them at once from the ancient Kshatriyas.<sup>309</sup> The strange thing is that all these neo-Kshatriyas bear the surname *Simha* (colloquial Singh)! Hence, there cannot be any wonder that the Kshatrap Rudra Simha and his clansmen might have been the forbears of many of the Rajput Simhas!

308 *Vide*—the building of Garura pillar by the Hellenistic ambassador of a Hellenistic State from the North who named himself as "Parama Bhagavata Heliodora"—Vincent Smith: "Early History of India"; *vide*—also the Inscriptions at Nasik, Ep. Ind., vol. viii.

309 The Koch tribe of North Bengal after being Hinduized adopted the name "Rajbansi," i.e., belonging to the Royal families. Now-a-days they are calling themselves Kshatriyas. The name "Rajanya" has of ancient and "Rajput" of modern historical connotations, hence a more phant and new name was necessary for them. In fact this new name imports the same meaning as the other has.



Now we come to the question of "Hun" affinity of some of the Rajputs. As said before, it was Tod who first gave the news that there is a clan named "Huna" amongst the Rajputs. But Vaidya contradicts it by saying that in the list of Rajput clans there is no "Huna," it is "Hula."<sup>310</sup> Further, he says, "Amongst the clans which assisted Bappa Rawal in his fight with the Muhammedans are mentioned both Hunas and Hulas ( *vide*—Tod's Rajasthan by Crooke, Vol. I, p. 290 ). *Hula* was a Rajput clan differentiated from *Huna*."<sup>311</sup> Again he says, In the Kumarapala-Charita list ( made by Chandra Gaharwala 1080-1180 A. D. ) of thirty-six ruling families of Kshatriyas the name *Huna* is mentioned.<sup>312</sup> In Rasa list it is called Hula."<sup>313</sup> Further he says, inscriptions do mention the marriage of Kshatriya Kings with Huna princesses."<sup>314</sup>

Thus the presence of the Huns even after the defeat and expulsion of Mihirkula by Yasodharman about 530 A.D., from Western India is attested by these records. In 9-10th centuries A.D. we find the name of the Huns mentioned as mercenary soldiers of the Pala Kings of Bengal.<sup>315</sup> An inscriptions of Devapaladeva speaks of his defeating the Hunas as well.<sup>316</sup> It seems that they wandered all over India offering their swords as merceneries to different potentates, also owning a Kingdom in Northern India at that time. These records naturally presuppose that the Huns who settled down in India have become completely Indianized, and their intermarriage with the

310, 311 Vaidya, Vol. iv, p. 23-26.

312 Mallinatha in his commentary on Kalidasa's 'Raghu Vansam,' canto xiv, speak of the Hunas as a Kshatriya tribe.

313 *Ibid*, Vol. iii, p. 37.

314 *Ibid*, Vol. ii, p. 26.

315 *Vide*—Pala inscriptions published in Epigraphica Indica, and Gauda Lekh mala."

316 E. P. Ind., vol. 2, p. 163.

Kshatriya Kings<sup>317</sup> attest the fact that they used to have Chieftains of equal rank with the Kshatriya Kings. The various inscriptions speak of Huna Kings as well.<sup>318</sup> Hence, it won't be a wonder if we find them taken in the Hindu fold as members of the Kshatriya *varna* after some religious ceremony of purification performed by the Brahmins !

Taking all things together, it can be said that there is a possibility that the Sakas, the Hunas and other foreigners who settled down in India, got admittance into the orthodox polity and formed different septs within the *varna* in which they were elevated.<sup>319</sup> The Brahman theologians theoretically degraded them to the status of Sudras<sup>320</sup> but practically we have found them inter-marrying with the Brahman and Kshatriya kings ! Thus there is a difference between the sanctimonious injunctions of the orthodox Brahmins on paper and actual practice in life.

317 In eleventh century A. D. Karnadeva "the lord of the Kalachuris" married the Huna princess Avalladevi and was succeeded to the throne by the son whom she bore to him." *vide*—Vikramankadevacharita I, 102-103 and xviii, 93. About Karnadeva, *vide*—Ep. Ind., vol. ii, No. 23.

318 *Vide*—Ep. Ind., vol I, p 235 ; Ind Ant., vol. xii, p 265 ; vol. xvi, p 23.

319 There is a mention of the foreigners settling in Ayodhya and becoming Kshatriyas who got Brahmins to minister their Brahmanic rites (Vishnu Purana 4. 3. 18-21. Bd. iii, 48, 29-47. J. R. A. S. 1919. pp. 358-6). Later Sagara "defeated the Talajanga Haihayas and regained Ayodhya (Bd. iii, 48, 49, 10). He determined to destroy the foreign tribes, but at their entreaties Vasistha interposed, so Sagara spared their lives but reduced them to great religious and social degradation." Pargiter, pp. 269-270.

Also Jayaswal speaks of the descendants of the Scythian Kshatrap of Benares, Banaspara living in Bundelkhand. Thus he says "They were considered low in origin and found it difficult to marry into Rajput families and their position is low still to-day. A dialect Banaphari in Bundelkhand goes by their name"—"History of India" in J. B. O. R. §. vol. xix, p. 41-42. In eastern India there is a Rajput clan named Banaphore who according to the investigation of the writer find it difficult to intermarry with the other Rajputs. The mediaeval Rajput heroes of Mahoba—Ala and Udal were Banaphore Rajputs. But their low position may be due to other factors.

320 *Vide*—Manu. x-43-44, Patanjali, 2. 4. 10.

Now we come to the question of "Hun" affinity of some of the Rajputs. As said before, it was Tod who first gave the news that there is a clan named "Huna" amongst the Rajputs. But Vaidya contradicts it by saying that in the list of Rajput clans there is no "Huna," it is "Hula."<sup>310</sup> Further, he says, "Amongst the clans which assisted Bappa Rawal in his fight with the Muhammedans are mentioned both Hunas and Hulas (*vide*—Tod's Rajasthan by Crooke, Vol. I, p. 290). *Hula* was a Rajput clan differentiated from *Huna*."<sup>311</sup> Again he says, In the Kumarapala-Charita list (made by Chandra Gaharwala 1080-1130 A. D.) of thirty-six ruling families of Kshatriyas the name *Huna* is mentioned.<sup>312</sup> In Rasa list it is called Hula."<sup>313</sup> Further he says, inscriptions do mention the marriage of Kshatriya Kings with Huna princesses."<sup>314</sup>

Thus the presence of the Huns even after the defeat and expulsion of Mihirkula by Yasodharman about 530 A.D., from Western India is attested by these records. In 9-10th centuries A.D. we find the name of the Huns mentioned as mercenary soldiers of the Pala Kings of Bengal.<sup>315</sup> An inscriptions of Devapaladeva speaks of his defeating the Hunas as well.<sup>316</sup> It seems that they wandered all over India offering their swords as merceneries to different potentates, also owning a Kingdom in Northern India at that time. These records naturally presuppose that the Huns who settled down in India have become completely Indianized, and their intermarriage with the

310, 311 Vaidya, Vol. iv, p. 23-26.

312 Mallinatha in his commentary on Kalidasa's 'Raghu Vansam,' canto xiv, speaks of the Hunas as a Kshatriya tribe.

313 *Ibid*, Vol. iii, p. 37.

314 *Ibid*, Vol. ii, p. 26.

315 *Vide*—Pala inscriptions published in Epigraphica Indica, and Gauda Lekha mala."

316 E. P. Ind., vol. 2, p. 163.

Kshatriya Kings<sup>317</sup> attest the fact that they used to have Chieftains of equal rank with the Kshatriya Kings. The various inscriptions speak of Huna Kings as well.<sup>318</sup> Hence, it won't be a wonder if we find them taken in the Hindu fold as members of the Kshatriya *varna* after some religious ceremony of purification performed by the Brahmins !

Taking all things together, it can be said that there is a possibility that the Sakas, the Hunas and other foreigners who settled down in India, got admittance into the orthodox polity and formed different septs within the *varna* in which they were elevated.<sup>319</sup> The Brahman theologians theoretically degraded them to the status of Sudras<sup>320</sup> but practically we have found them inter-marrying with the Brahman and Kshatriya kings ! Thus there is a difference between the sanctimonious injunctions of the orthodox Brahmins on paper and actual practice in life.

317 In eleventh century A. D. Karnadeva "the lord of the Kalachuris" married the Huna princess Avalladevi and was succeeded to the throne by the son whom she bore to him." *vide*—Vikramanka-devacharita I, 102-103 and xviii, 93. About Karnadeva, *rule*—Ep. Ind., vol. II, No. 23.

318 *Vide*—Ep. Ind., vol. I, p 235 ; Ind. Ant., vol. XII, p 265 ; vol. XVI, p. 23.

319 There is a mention of the foreigners settling in Ayodhya and becoming Kshatriyas who got Brahmins to minister their Brahmanic rites (Vishnu Purana 4. 3. 18-21 ; Bd. in. 48, 29-47, J. R. A. S. 1919, pp. 358-6). Later Sagara "defeated the Talajanga Haihayas and regained Ayodhya (Bd. iii, 48, 49, 10). He determined to destroy the foreign tribes, but at their entreaties Vasistha interposed ; so Sagara spared their lives but reduced them to great religious and social degradation." Pargiter, pp. 269-270.

Also Jaysawal speaks of the descendants of the Scythian Kshatrap of Benares, Banaspala living in Bundelkhand. Thus he says "They were considered low in origin and found it difficult to marry into Rajput families and their position is low still to-day. A dialect Banaphari in Bundelkhand goes by their name"—"History of India" in J. B. O. R. S. vol. xix, p. 41-42. In eastern India there is a Rajput clan named Banaphore who according to the investigation of the writer find it difficult to intermarry with the other Rajputs. The mediaeval Rajput heroes of Mahoba—Ala and Udal were Banaphore Rajputs. But their low position may be due to other factors.

320 *Vide*—Manu. x-43-44, Patanjali, 2. 4. 10.

On these accounts it is probable that with the domination of Brahmanism, the Brahmans made a purification movement to include all the fighting tribes into a new Kshatriya order as they were in urgent need of the supporters of their cause. Hence, as far as Brahmanic religion was dominant, all the foreign and so-called aboriginal tribes were elevated as Kshatriyas and new genealogies were manufactured for them. This makes the neo-Kshatriyas confine their community within the boundaries of Western and Central India. According to the confession of Mr. Vaidya the Panjab was excluded from the list of the Rajput clans, because it was occupied by the Muhammedans, or it may be that the Buddhist Kings were occupying the province at that time. Surely there had been some hindrance working at that time in that place to prevent the Panjab neo-Kshatriyas being included in this new-*sangathan* (reorganisation) movement.<sup>321</sup> In the East, in Magadha and Bengal, the Buddhist Palas were then dominant, hence this movement could not find ingress in that side. In the South, the Rajus, the Bellalas have already assumed that position. Thus, the dominant clans of the martial peoples living within the jurisdiction of this area were elevated as Kshatriyas, and got the new appellation of "Rajput," i. e., son of a Raja. For this reason, masses of the Gujars and the Jats and the Ahirs who were outside the ruling clans were not elevated to Kshatriya ranks though the anthropologists find a close kinship between them and the Rajputs !

321 The Rajputs of the plain of the Panjab who mostly have become Moslems, have got the same clan names as of Rajputana and Gangetic valley. This means a migration from these places have taken place in the Panjab. The Rajputs of the Eastern Hills of the said Province are regarded as of lower rank than the Rajputs of Rajputana, i. e., they are of different septs. And their "castes" are not yet clearly ossified as they are not yet endogamous (*vide*—Ibbetson). Ibbetson says the term "Rajput" of this place is rather an occupational expression (p. 362).

Then, when the name "Rajput" became respectable enough, and the name cast a glory and a halo of romance over India for the brave and chivalric spirit of the Rajputs, various groups which slowly were aspiring to the Kshatriya *varna* began to adopt the name as their caste name. Thus we find the *Nag-bansi* and *Go-bansi* Rajputs of Chotanagpur who say they were descended from a Serpent (*Naga*) and a Cow (*Go*).<sup>322</sup> It is evident that these two animals were the totems of some aboriginal peoples of the locality but who as the landlords of the place arrogated to themselves the ranks of the traditional Kshatriyas and took the newly coined name as their "Caste" name. In the same way, we find the Tipra and the Manipuri ruling families of the eastern hills of Bengal claiming themselves as Kshatriyas and now-a days associating themselves with the Rajputs as such. On this account, the name Rajput and Kshatriya (colloquial Chatri) have become synonymous in India. Due to this reason, more the Kshatriyas are being manufactured by the Brahmans all over India, more are the ranks of the Rajputs being swelled. And this process is going on all over present-day India.<sup>323</sup>

### Muhammedan Invasion.

The first Muhammedan invasion was made by the Arabs which took place in Sindh in 712 A.D. From that time on we got some glimpses of the social condition of India from the writings of the Muhammedan travellers. The Arab traveller Ibn

322 Risley: Tribes and Castes of Bengal, Ethnographic glossary, Vol. 1, pp. 184-185.

323 In the province of Bengal, various castes are being given the sacred thread of the Kshatriyas by the purification movement of the "Hindu Mission." These castes are also changing their caste names, and adding the word Kshatriya behind their new names viz., "Paundra-Kshatriya," "Jalla-Malla Kshatriya". 'Ugra-Kshatriya'

Khordadbeh in 900 A. D. mentioned *Anuloma* marriage as still going on in India as he said, the class of Brahma, *i.e.*, the Brahmans do not give their daughters to the Katariyas *i.e.*, the Kshatriyas, but they take the daughters of the Kshatriyas as their wives.<sup>324</sup> As regards the Sudras, he said the Sudras were those who were husbandmen by profession. Thus we get a corroboration of the fact which we have noticed in the Vardhana period, that, agriculture was left solely to the Sudras.

In the eleventh century A. D. when Alberuni came to India in the train of Mahmud of Gazni, he recorded that the position of the Rajputs is not much below that of the Brahmans.<sup>325</sup> But from the note of Alberuni it seems that the Rajputs have been lowered in their position to a certain extent than that recorded by the Arab travellers.

In the meantime when the Arabs were making raids and conquests on the western side, we find Visvarupa in his commentary on Jagnavalkya explaining the term *mlechcha* as meaning the Pulindas and the Tajikas, *i.e.*, the Arabs!<sup>326</sup> Thus, the Arabs, and later on, the Turks and other Muhammedans from the North-west were included in this term.

While Muhammedans were hammering at the western gates of India, a momentous change was taking place in the eastern part. The tide of Brahmanical reaction reached in that part as early as eleventh century A.D. first by way of peaceful penetration, then by conquest. We find various men settling in Bengal and along with the Brahmans<sup>327</sup> and other Brahmanists,

324 *Ibid*—Elliot's History of India, Vol. I. p. 16.

325 *Ibid*—Vaidya, Vol. iii, pp. 383-384.

326 Kane, p. 256.

327 Various epigraphical plates discovered in Bengal attest to the fact that many Brahmans from northern India got grants of lands from the reigning Kings and settled in Bengal. *Ibid* Belava plate of Bhojavarma (11-43-45); Ramganj plate of Isvara Ghose (L 24); Barrackpur plate of Vijayasena (Ll 37-39); Grant of Vallalasena mentioned in Saktipur plate of Laksmnasena.

forming colonies of their own but at first living under the aegis of the Buddhist kings. But later, owing to the weakness of the Palas they asserted their independence. Thus we find the Suras of Rarh ( West Bengal ) coming from *Dardistan* ( Darada ) and settling there as Kshatriya rulers.<sup>328</sup> It is a strange thing that though the Dards and the Kambojas have been denounced in *Manavadharmasastra* as *Vratyas*, and have never been included in the Hindu polity, yet we find in Bengal a "Dard" acclaimed by the Brahmans as an orthodox Kshatriya ! Thus it is clear that the principle of *Racial nationalism* is from time to time modified by the Brahmans to suit their policy.

Then came the Varmans from Western Panjab or from some other part of India, and set up a Brahmanist principality in East Bengal.<sup>329</sup> Finally the Senas came from the South and drove out the Palas from Bengal. With the establishment of the Brahmanical Senas to power, social history of Bengal began to take a new shape. The Brahmanists coming to power began to tyrannize over the Buddhists,<sup>330</sup> people began to change their religion, and the whole society began to be remodelled according to *varnasram* polity. At the same time the destruction of Buddhism began to take place till in the sixteenth century not a vestige of it remained in Bengal society.<sup>331</sup> Even the Buddhist ballads and the proverbs were given Brahmanical versions.

While society was being made topsy-turvy everywhere in India, a new theory was started by the Brahmans that in

328 *Vide*—Dhrubananda Misra's Sanskrit text.

329 Some critics think they might have come from Kalinga as they originally were the lords of Simhapura. (Belava plate, V. 5.). *vide*—discussion in "Inscriptions of Bengal," vol. iii, p. 22.

330 *Vide*—Ramai Pandit's "Niranjaner Rukma" in "Sunya Purana" in Bengali.

331 *Vide*—Late Pandit H. P. Sastri's writings and presidential speech in "*Sahitya Parishad Patrika*," vol. 36, pt. 1.



the *kali juga* only the Brahman and Sudra *varnas* exist, the other two *varnas* disappear. Vaidya says, "We have never been able to trace the above dictum to its original source. We find it quoted by Kamalakara Bhatta of Benares in his work *Sudra Kamalakara* but he did not plainly believe in it ... he merely says 'In some Purana' (*puranantare*) when he quotes it. We have not yet been able to fix upon the Purana which contains this off quoted line. It is mostly an imaginary line first quoted by the above Pandit ... who cannot however have been its originator." Vaidya thinks that "this dictum arose sometime 1300-1600 A. D."<sup>332</sup>

Thus in the period of Muhammedan invasion the whole *varnasram* polity went into the melting pot. This alleged dictum degraded the Kshatriyas and the Vaishyas, and in those places where there have been no distinct powerful *varna* calling itself as Kshatriya, we find the society to be composed of Brahman and the Sudra. In Bengal this dictum was applied by Raghunandan in the fifteenth century<sup>333</sup> who said that in this province only two *varnas* exist, hence distinct *varnas* as Kshatriya and Vaishya are not to be found there. This dictum was applied in Bengal during the Muhemmedan rule though the Bengalee literature of the period speaks of the Brahma-Kshatris and the Rajaputras as existing in Bengal ! Thus wholesale degradation of other *varnas* except the Brahmans took place in Bengal. According to late Pandit H. P. Sastri those of the people of Bengal who did not either accept Islam or some form of Brahmanism but stuck to their Buddhist faith were degraded by the Brahmans as "untouchables." Thus

332 *Vide*—Discussion about it in Vaidya, vol. II, pp. 312-316.

333 *Vide*—Raghunandan's "Astabingsatitawa" (in Sanskrit). Late N. N. Basu has said that Raghunandan has applied this dictum in Bengal by quoting a supposed sentence from Yama text. *Vide*—"Banger Jatiya Itihasa, Vaishyakanda," Introduction, p. 2. If this text be identical with Yama Sambita, it does not occur in the published form printed in Calcutta.

nearly a half of the Hindu population of Bengal was degraded to be outside the Hindu polity ! Amongst those who become Brahmanists, conversion followed along class lines.

The descendants of the Brahmins and the Brahmanical Kayasthas who were supposed to be imported from outside and the higher class of the Buddhist laity who followed the *Mahayana* cult of the Pala rulers became Brahmanists of the *Tantrik* school ; while the masses of the Buddhists and others became Brahmanists of the Vaishnava school of Chaitanya the reformer. This is the general division of present-day Hinduism in Bengal. Sastri says, "The Muhammedans called the Indians, Brahmanists and Buddhists alike, Hindus or Indians. The Brahmins were not slow to take advantage of this and to make it appear that the Buddhists did not exist. The Brahmins found themselves master of the situation in the Indian or the Hindu community. The vast number of Buddhists were like so many lambs without a shepherd. The Vajrayanists, the Sahajiyas, the Nathists and the Kalachakrayanists for a time maintained a separate existence, but many of their followers were either converted to Islam or forced to join the Brahmins. But the exclusive spirit of the Brahmins made the admission of only such people into their fold possible as would consent to be their out and out followers. They took those within the pale of their society and called them *Navasakha*—new branch (new nine castes). Those who tried to maintain a separate existence were excluded from the pale of their society and these formed the *anacharaniya jati* or the depressed classes."<sup>334</sup>

The interpretation of late Pandit H. P. Sastri may not be correct in details, for he never took into consideration the ancient Bengal tribes who followed the tribal religions of their

334 H. P. Sastri's Introduction to N. N. Vasu's "The Modern Buddhism and the Followers in Orissa, pp. 14-15.

own. Their modern representatives are still in the process of Brahmanization. All the depressed castes are not ex-Buddhists, followers of tribal religions who were called "Antyajas" in the Smritis must have swelled their ranks in Bengal and else where in India. As regards the "Navasakhas," we hear of them as *Navasayakas* in the Sanskrit texts (*vide*—"Sadbakalpadrūm").

Ballala-Charita called them, *sat-sudras*. These castes are to be found outside Bengal as well. They represent the old trade-guilds of the Vaishya *varna*. They bear the names of the guilds that we find mentioned in the Epigraphic records, *viz* : *Tailik*, *Malika*, *Sautrik* ( *Tantubai* ), etc. It might have been possible that like the trading communities in the other parts of India they were inclined towards Jainism and Buddhism. And the Bania Sethi loomed big in the records of these two sects. The conservative Brahmins for some reason or other were not favourably inclined towards them. Hence with the rise of the Chaitanya's reform movement, most of them took refuge in it. The Goswamis of the Chaitanya sect of Vaishnavism began to minister to their spiritual needs. From that time on they were elevated in public estimation. It is also to be noticed that everywhere the representatives of the ancient Vaishya *varna* like that of ancient days are mostly the adherents of reformed movements.

Thus the Hindu Society in Bengal got a complete change, and a new polity took its rise there. In the new system that began to be evolved in India a peculiar institution—the 'Varna Brahmins' are to be noticed. These are the Brahmins of the *anacharaniyas*, *i.e.*, the depressed castes whose number is legion. These Brahmins are out-casted by the Brahmins of the *acharaniya* or the clean castes. The former say that they have been degraded for officiating as priests of the depressed castes. It is noteworthy that the Brahmin in spite of his vauntings as the *bhu-devata* and as superior to others, has got

social status which only stands in proportionate order with the status of his *jajamana* ! That means, a member of the Sat-Sudra order would not drink water or eat from the hands of a Varna-Brahman ! The simple fact of being born in a Brahman family does not entitle a Brahman to get highest social respects. The status of a priest in the society stands *parri passu* with the status of his layman. As regards the 'Varna-Brahman' of Bengal, Pandit Sastri said, "that these Brahmans are not real Brahmans they have been the former priests of the Buddhist laity, they were Buddhist *vikshus*. This is evinced by the Bengalee poet Kavikankan in "Chandi" which was written in the fifteenth century A. D. that "the Varna-Brahmans are men of monastery," i.e., they are *vikshus*." Of course lots of higher class Brahmans have from the policy of gain accepted the priestship of the depressed castes and have been compelled to inter-marry with these Varna-Brahmans. The *Prembilas* a Vaishnavite book of the Bengal school says that many descendants of *Srotriya Kahri* Brahmans and *Dairvajna* Brahmans have become Varna-Brahmans in Bengal.

These Varna-Brahmans naturally have formed different castes, and they are as many as there are depressed castes ! The peculiarity is that each of these Varna-Brahman groups call the other as outside the pale of touchability ( *anacharaniya* ) !<sup>335</sup>

Thus speaking of the priests of the depressed caste of the Kaivartas, Sastri says, "Their priests, the descendants of the Buddhist married clergy, still form a community by itself. At the present moment they call themselves Brahmans, because none but the Brahmans are recognised in the Hindu society as priests." Again, "The *Yogis* are now trying to take the holy thread and become Brahmans. They do not know what they were.

They were real *Yogis*, being descendants of the *Nathas*<sup>336</sup> Further, "The so-called Brahmins who beg with the image of *Sitala* in their hands and come from Howrah and Midnapur districts are all Dharmagharia Yogis ... From the locality they come, they seem most likely to be the survivals of the Hinayanist monks of the Tamralipta country."<sup>337</sup>

The History of re-shaping the Hindu society of Bengal in its present form is still an unknown chapter of the social history of Bengal. It is to be surmised that the present-day society of Bengal has evolved between the time of the Sena rulers to the time of Chaitanya and the legislator Raghunandan.

Thus we do not meet the ancient orthodox polity followed in Bengal. Similarly other provinces underwent transformations. In the Panjab the Brahmins are fallen from their alleged position. They are mostly agriculturists. In the upper Gangetic valley in some places the Brahmins have taken to cultivation; in Behar (ancient Maghadha) the descendants of the ancient Brahmin class by taking to cultivation have been degraded as *Babhan*. In the South, we have seen before, the Brahmin is the lord of the creation. During the Muhammedan supremacy in North India, the Vijayanagara empire arose in the South as a bulwork against Islamic aggression. But Vijayanagara State founded by the southern Kshatriyas, became the citadel of Brahminism under the two Brahmin Ministers, the great Madhava and Sayana. To them goes the honour of rescuing the Sanskrit literature from oblivion and to

336 The Nathas or the Naths are a big religious sect that extends from Bengal to the Panjab. According to Lama Taranatha, the followers of Gorakhnatha after Turkish invasion of Bengal began to mix with the *Tirthikas* in order to get respect from them and Kings, became the worshippers of Iswara, i.e., Brahminists hoping thereby to avert the fury of the Moslems, only the small sect of Nateswara remained true to Buddhism *vide*—History of Buddhism, pp. 121,

337 Sastri in "The Modern Buddhism and its Followers in Orissa," pp. 16-17.

make commentaries on most of the religious texts. Another important Brahman called as Madhava Mantri also belonged to this orthodox school. The Vijayanagara empire "From the cradle to the grave was nurtured by the Brahman."<sup>338</sup> Thus while everything was becoming topsy turvy in the North, the present society of the South got its final imprint from this orthodox school of Vijayanagara, for the "present-day Hinduism of South India retains the form that it receives under Vijayanagara."<sup>339</sup>

The intrusion of Islam in India brought life and death struggle within the Hindu community. It was unlike the invasion of the ancient times. The individual Javanas, the Sakas, the Kui-sans, the Hunas could be assimilated in the Hindu society when they accepted some form of Hinduism and were completely Indianized. Islam not only brought a foreign religion but it also brought a civilisation rival to the Indian one in every respect. Thus an Indian being converted to Islam had to change himself in every way, he had to break away completely from the Indian traditions.<sup>340</sup> Moreover the international outlook of Islam was incompatible with Hindu orthodoxy. All these were irritating and depressing to the Hindus. Hinduism in all its branches fell back on racial nationalism for self-preservation. On this account any compromise with Islam was a taboo. This naturally gave rise to all sorts of prohibitions which not only declared the new foreigners as "Mlecchas" as we have seen already, but any contact with them as a taboo! That this spirit of the Hindus, came with the political struggle with the Muhammedans is closely expressed by Alberuni in the eleventh century. The defeat and the threat of extinction

338 "Studies in Vijayanagara Polity" by S. Bhimasankara in J. A. H. R. S., vol. V, p. 80.

339 S. K. Aiyangar : *op. cit.*, p. 312.

340 *Ide*—Alberuni's "Prolegomena to India," translated by Sachau.

caused by conversion to the rival religion and the breaking away from the old Indian ties by the converted Indians<sup>341</sup> embittered the Hindus. Hence the Hindus not only tabooed all foreign contacts, but to prevent the members of the society from falling off the prescribed injunctions, the Hindu society became completely ossified and immobile. It encrusted itself and became static. As a result the present-day Hindu society took its shape.

It is generally believed that the present ossification of the Hindu society with stringent rules enjoined on the members took place during the Muhammedan rule. Much of the present-day condition of the Hindu society cannot be understood unless the psychology of a conquered people trying to save itself from foreign influence and threat of extinction be understood.

Any way, from the tenth century onwards we find the classes ossifying into castes with strict laws of endogamy. Even in this period of constant political change, the different septs or the sub-divisions of the castes began to become mutually exclusive. Thus a family from one part of the country began to refuse to inter-marry with another family of a different locality though both belonging to the same caste! But as they formed different septs they became strangers to each other. Thus a Kayastha from Barh (West Bengal) will not inter-marry with a man from Varendra (North Bengal) or Vanga (East Bengal); similarly a Brahman from Malava will not inter-marry with a Brahman from Kanyakubja; in the same way, a Desastha Brahman will

341 *Vide*—the story of a converted Brahman of Sindh who refused to salute his former Raja as he became a Moslem during the Arab conquest, in Elliot's "History of India," also *vide*—Rasul-vijaya' a Bengali book written by a Muhammedan writer in xv century A. D. which described that how a Brahman by becoming Muhammedan underwent a complete ethnic change!

not inter-marry with a Brahman from Kankan, and so on and so forth.

Thus we see the *varna* is forgotten, the caste takes its place, and more important is the division of the caste to which a man belongs. Hence it can be said that each of those sub-divisions is a caste by itself. Because, the *varna* does not exist, the caste is a theoretical one, but the division of the caste is the living thing. Truly, Senart is right when he says, "Nous parlons couramment de la caste brahmanique; cest *les castes brahmaniques* qu'il faudrait dire. Nous enveloppons dans un seul terme generique des castes multiples qui ont chacune leur individualite." (We currently speak of the Brahmanical caste; we would rather say the Brahmanical castes. We cover in a general term multiple castes each of which has its individuality).<sup>342</sup> Each of these sub-divisions fulfil the definition of a caste.

It is true there had been provincial differences amongst the *varnas*. The *Udichya* (Northern) Brahman priding himself on his birth, and looks down with contempt on the *Brahmabandhus*, i. e., the Brahmins of Magadha.<sup>343</sup> The differences of Kingdoms where the kings were the social heads, and the differences of culture and other politico-social influences may account for these separations. But it cannot be said that they formed endogamous groups. In history we find people of different provinces inter-marrying with each other. Perhaps the pride of birth and the notion of the purity of blood which we met in earlier days may have given rise to this feeling of separateness. Perhaps it was a worldwide phenomenon of the ancient time. But in the Muhammedan period we find the sub-divisions within the same province becoming exclusive to each other in the matter of marriage.

<sup>342</sup> Senart : 'Castes', p. 139.

<sup>343</sup> Fick : *op. cit.*, p. 215.



The possible explanation lies in the fact that when one part of the country is free from the Muhammedan rule, it tries to save itself from the inundation by forming special rules of its society. At that time, when there are constant slip-slods and apostacy in the portions ruled by the Moslems, people became suspicious of each other regarding their descent and conduct of life. Hence groups became exclusive to each other. During this period we find the Brahmins and the Kayasthas of Bengal forming new associations and adjustment<sup>344</sup> (*Samikarana*) of their societies all the times.

Thus we find, that the Indians began their history with tribal institutions, and in the Muhammedan period we find distinctions according to localities. It is only amongst the Rajputs that we still find tribal names as designating them individually, still imperceptibly there is a distinction according to province in the matter of marriage. The Rajputs of Rajputana are chary of inter-marriage with their fellow-castemen of the Panjab Hills and of the East. Here again, the questions of birth and purity of blood come to play their role.

Finally, we see that in the Muhammedan period the Hindu societies are divided into autonomous castes and sub-castes. Thus, the present-day Hindu society is a congeries of endogamous and independent groups. The society is divided into vertical sections. Added to it, the present-day class distinctions based on money power is playing its role. It is cutting the vertical sections again in horizontal lines.

344 Readjustment and re-organisation of Hindu society took place in other provinces as well. But according to S. K. Aiyangar South India was free from it, as Brahmanism there "does not exhibit the ever-recurring re-organisation necessitated by the impact of foreign invaders and hostile religions." *Vide* "Some Contributions of South India to Indian Culture," p. 357.

### Reform Movement

During the period of Muhammedan domination in greater part of India, when there was apostasy to Islam on the one hand and uncompromising rigidity of social rules of Hindu society on the other hand, a band of reformers arose either to make a compromise between the two divergent groups or to mitigate the hard lots of the masses of the Hindus. It was the masses of India that have always changed their religion to escape from the galling rule of the upper classes. If once they had become Buddhists, now they began to be converts to Islam. It is a strange thing that the Buddhists who allowed no *varna* distinction among themselves, suffered most from the Muhammedan invasion. In many places, the Buddhists<sup>345</sup> and the degraded Sudras<sup>346</sup> made common cause with the Muhammedan invaders. There is a probability that a large number of Buddhists got admittance into Islamic society. It is a paradox to say, that those places denounced by the Brahmans as land of the *Vratyas* and not fit to be visited by the Brahmans, later on became the headquarters of Buddhism, and in modern time, got a preponderant Muhammedan population! The reason is not far to seek; those who did not accept Brahmanical polity of *varnasram* became Buddhists, and later, as they were oppressed by the Brahmanist rulers and upper classes, entered Muhammedan society which offered them equality and chance to rise in the world. As Islam is international and never accepts racial nationalism, the man from a conquered people has every chance to get equality with the foreign rulers and to rise in life. Hence we don't

345 *Vide*—"Chach-Nama"; Ramai Pandit's "Sunya Purana" (in Bengalee); Lama Taranatha spoke of the Magadha *vikshus* as helping the Turks, *vide*—translation by Schiefer.

346 *Vide*—Stanley Lane-poole "History of Muhammedan India."

wonder that the Indian masses and the downtrodden Buddhists began to take shelter under the wings of Islam.

During this period when the extreme rigidity of Brahmanism making life intolerable to the masses and at the same time there was allurements of Islam, a band of reformers arose whose object was to prevent the masses from breaking away from the fold of Brahmanism. They first arose in the South, the land of extreme orthodoxy. The first sign of it was in the *Vira-Saiva* movement. It was a religion devoted to the worship of Siva as a personal God. "The movement seems to have received a special impetus from a certain zeal for social reform by the abolition of caste and by otherwise removing some of those social restrictions."<sup>347</sup> The radical element amongst this movement broke away from Hindu orthodoxy. The founder of this wing of the movement known was one Basava, a Brahman. He denied *varnasram dharma* of orthodoxy and adopted *ahimsa* (non-killing) as his main doctrine. Basava denied that the Brahmins have special sanctity and preached that every one is entitled to attain the highest goal and like the Vaishnavas developed the sanctity of *prasad* (offering to the deity).<sup>348</sup> Basava gave up the caste-polity and inter-marriage between the Brahman and Chandala even took place amongst this sect. The most notable practice of this sect is that Basava preached that man must live by his own toil, and never beg, not even the Jangamas, their priests. Perhaps Basava is the first Indian thinker to preach the dignity of labour. This sect flourishes amongst the agriculturists and the trading population in Karnatik.<sup>349</sup>

347 S. K. Aiyangar : *op. cit.*, p. 247.

348 Arjunavada inscription of Yadava King Kannara (A. D. 1260) definitely speaks of Basava the ascetic. It speaks of Basava's devotion to *prasad* (L. 42), Ep., Ind. vol. 21, No 2.

349 Aiyangar *op. cit.*, also Vaidya, vol. 2, pp. 420-422.

But what interests us here is, that this sect in denying the orthodox caste system, has developed a sort of caste system of its own. The *acharyas* and the *jangamas* function like the Brahmins of the orthodox society!<sup>350</sup> This sect rivals the orthodox mother-society in every respect so that<sup>351</sup> it has got *gayatri* mantra and *gotra-pravara* system of its own. To-day the Lingayets are a caste by themselves.

Another movement that began in the South and later become an all-India one is the Vaishnava movement. The movement of the worship of Vishnu can be traced to the period of the rise of Brahmanism, but this movement known as "neo-Vaishnavism" flourishes from post-Muhammedan invasion. In the South, it was the movement of *bhakti*, i. e., salvation through devotion. Its leaders were Alvars, the Vaishnava saints who were from both the sexes and from all castes. The greatest of the twelve saints was a Sudra named Nam-Alwar! Even a man from the *paraiya* (untouchable) caste—Jogivaha, had been one of these saints.<sup>352</sup>

This movement spread in the North, where we find Ramana preaches the same worship of Vishnu and the doctrines of *Ahimsa* and social reformation. The thread was taken up by Kabir reputed to be the son of a Muhammedan weaver. Then, in the North as we find the rise of the sects of Kabir, Dadu and Nanak; in the East, we see the rise of the sect of Chaitanya,<sup>353</sup> in Maharashtra the rise of Namdev and others. From fourteenth

350, 351 Vaidya, vol. iii, pp. 422, 422

352 S. K. Aiyangar, *op. cit.*, pp. 266-267.

353 In Bengal the movement inaugurated by Chaitanya, and carried on further as a reform movement by Nityananda and his reputed son Virachandra, rivalled Islam in social aspect of life. It developed within itself the group known as 'caste-Vishnavas' who still take any body within itself who gets initiation. It abolished caste-distinction, allows remarriage of widows as well as divorce. It is still a refuge of the socially ostracised and depressed peoples.

to sixteenth centuries there was an all-India Vaishnavite movement preaching the doctrines of non-killing, abolition of caste-system, salvation for all. The most noticeable features of all these reform movements were the belief in a personal God, absolute surrender to him, salvation through devotion and no caste distinction. These appealed to the masses, and as such acted as bulwarks against the onslaughts of democratic Islam.

If an analysis of these doctrines be made, then we will find these doctrines approach both Buddhism and Islam in some points. It seems that in order to take the winds out of the sails of Jainism, Buddhism and Islam, the doctrines of non-killing, and surrender to a personal god for salvation and abolition of caste distinction were emphasised. It is for these reasons, these movements of various phases of Vaishnavism is called by present-day writers as Neo-Buddhism !

But the interesting point in these reform movements is that while breaking down the caste system, it evolved castes of their own !<sup>354</sup> Thus we have the "Jati-Vaishnavas" in Bengal the "Bhagabatas" of Behar, the "Sikhs" and other socio-religious groups which by becoming endogamous and having social rules of their own, have formed themselves into castes.

The reform movements began with the idea of abolition of caste-system and the Brahmanical priesthood, but in course of time the octopus of Brahmanism has enmeshed these movements ; these fell victims to the Brahmanical environment, and to-day in some of these sectarian castes,<sup>355</sup> the ministration of Brahmins has become indispensable ! It is evident, the

354 As an example The Naths who were the votaries of a cult that stood intermediate between Buddhism and Brahmanism have now all over India from Bengal to the Panjab formed a caste of their own and in some places in Bengal have created their own Brahmins.

355 The Jati-Vaishnavs of Bengal are falling under the influence of the Brahman priesthood. The Sikhs fell under the Brahmanical influence for some time. The present-day reform movement amongst them is counteracting it.

Brahmanical polity as described in *Manavadharmashastra* has become the ideal of all castes of Hindus, hence any caste that tries to rise in social status and attempts to look respectable in the eyes of its neighbours, copies the polity of this code. As a result, it has got to respect the Brahman priesthood and to obey its injunctions and prohibitions.

Thus, the present-day castes may be described as endogamous social groups having their own rules and regulations to govern the members and insisting on the purity of birth. These give rise to group-pride, which naturally evolves group sentiment. For this reason, the feeling of caste may be called as the group sentiment. As in old days, the economic calling of man was secured by his trade guild which in the course of time developed into *jati* (caste) profession by the means of which a man was assured of his calling, resulting in the development of a group sentiment of safety ; likewise one feels that in present-day society his status is secured within the caste. On this account a caste may be defined as a group sentiment of safety. As a result, no body is ashamed of his caste, one feels pride in it. Caste is a socio-economic institution in which one is born, lives and has his being, and of which one is not ashamed of.

## CHAPTER VIII.

### Notions on Purification and Taboo

#### I

It is generally said that a principal characteristic of Brahmanism which is popularly known as orthodox Hinduism is *achara* which may be called as notions about purifications and prohibitions. The notions about personal purification and pure or clean and impure or unclean things and persons, and regulations about food and contact with things and persons, are very strong with Brahmanism. These prohibitions have led to develop various rules which are called by the Ethnologists and the Sociologists as 'taboos.'<sup>1</sup> The present-day Hindu life is hedged around with various sorts of taboos, *viz.*, social, sex and food.

All these regulations apparently give impressions that the Hindu society is a peculiar one, that it has followed a peculiar line of development which marks it out singularly from the rest of the humanity. But before we accept this conclusion we must make a comparative study of the conditions of other peoples, ancient and modern, in these matters. Hence our enquiry in this matter should begin with the nations of antiquity.

#### Egypt

The ancient Egyptian sacred books allowed to kill all oxen of a particular description, but the sacrifice of a heifer was strictly forbidden. In order to enforce this prohibition, the

1 The word "taboo" itself occurs in Atharva Veda (V. 13. 10), and it also occurs as reported to the writer by some of his Andhra friends in the form of "tapu" in Telugu language. In this form it is identical with the Polynesian one. Regarding this word, see S. Levi "Pre-Aryan and pre-Dravidian in India," p. 25. translated by P. C. Bagchi.

heifer was regarded as sacred.<sup>2</sup> Thus the notion of purity developed the law of prohibition and it in turn gave rise to the idea of sacredness. This belief in sacredness gave rise to the custom of esteeming cow more highly than any other animal (Herodotus, II. 41). As a result, the Egyptians used to be horrified of those persons whose religion enjoined the killing and eating of the same animal. This notion was carried to such an extreme "that no Egyptian of either sex could be induced to kiss a Greek on the mouth, to make use of his knife, his spit, or his cooking utensils, nor even to taste the meat of a clean beast which has been slaughtered by his hand."<sup>3</sup> Thus, prohibition giving rise to the idea of sacredness led to differentiation of clean and unclean things which developed taboos.

Again, the Egyptians had the custom of washing of hands before a meal which was a regulation for keeping purity.<sup>4</sup>

Thus, we see the notion of clean and unclean things and persons, ideas of purity and regulations regarding them were not unknown in ancient Egypt. In these notions of food and contact taboos we find similarities with the same of the Hindus.

### Babylonia

The ideas of purification of the Babylonians were mixed up with exorcisms, spells, etc. Religious theories elaborated by the priests influenced the idea of purifications. "The idea, itself, to be sure, belongs to the primitive notion of taboo, which

2 Sir J. G. Wilkinson. "The Manners and Customs of the Ancient Egyptians" vol. iii., ch. xv. p. 44.

3 Sir J. G. Wilkinson: "The Manners and Customs of the Ancient Egyptians," vol. III. p. 44. As evidence *see* Bible, Exodus, VIII. 26. 27, where Moses asking the permission of the Pharaoh about sacrifice says, 'It is not meet to do so, for we shall sacrifice the abomination of the Egyptians to the Lord our God and will they not stone us.'

4 Hastings: "Encyclopaedia of Religion and Ethics," vol. X, p. 477.



specifies an unclean condition due to contact with something either too sacred or too profane to be touched."<sup>5</sup> Again, the practice of becoming clean by washing was extant in the Mesopotamian valley. "Motive of washing was symbolical removal of the contamination and often its symbolical transfer by the water to some object, rendered by incantation of a representation of the supposed author of the trouble, *e. g.*, a clay or wax origin of the witch."<sup>6</sup>

Here it is clear that the idea of purity is involved in the idea of the force of contact. Again, there was notion of sex purity as "All sexual intercourse involved the necessity of purification."<sup>7</sup>

### Palestine

The notions of the Jews regarding purifications, and the taboos regarding food and sex *emanating* from them are well known; these are still being observed by the orthodox Jewry. Regarding sex taboo, there were rules about marrying in one's caste or class, and even in one's family (Numbers, XXXVI, 5-12). Then, there were laws regarding the length of pollution on account of death<sup>8</sup> (Numbers, XIV, 3-6, 14, 15) and menstruation (Isiah, LXIV, 6, Esther, XIV, 6). Also, there was taboo on strangers (Ezekiel, XLIV, 7-9). Again, there were food taboos (Ezekiel, XLIV, 31), and there were also taboos regarding contact (Ezekiel, XLIV, 25). Thus, Abbe Dubois said, the Hebrew precepts about cleanliness and uncleanness are similar in many respects to the Hindus."<sup>9</sup>

5 M. Jastrow : "Aspects of Religious Belief and Practice in Babylonia and Assyria." p. 366.

6 Hastings : "Encyclopaedia," vol. x, p. 467.

7 Compare similar orthodox Brahmanical injunction.

8 Compare the *asaucha* custom of the Hindus.

9 Abbe Dubois : "Hindu Manners, Customs and Ceremonies." p. 46.

### Persia

The Magian priesthood had notion of purification, and it was one of the primary functions of this class.<sup>10</sup> As most of the Zoroastrian records have been destroyed by the Macedonian and the Arab conquests, we do not know much about the ancient conditions, yet we know that earth, fire and some elements were regarded as pure, and the ancient Zoroastrians had definite ideas about purity and impurity. "The recognition of the necessity for purity of body and mind is a cardinal principle of the Zoroastrian, as of Hindu religion, and is responsible for various ceremonies as well as daily observances in food, drink, dress, etc."<sup>11</sup> And we know from modern history that original practices of purity and prohibitions got their impetus from the compact of the Arab conquest, as a result, the Zoroastrian society became encrusted like that of the Hindus. "The more the Zoroastrians were persecuted, the more they kept aloof from the non-Zoroastrians ... A Zoroastrian should purify himself with cow's dung (*nirang*) after touching a non-Zoroastrian. (Kandin Shapar Rivayat, 16 A. D.) ... a Zoroastrian should not partake of any food prepared by a non-Zoroastrian, even when travelling (Kaus, Mahyas Rivayat),<sup>12</sup> neither of clarified butter (*ghi*) nor of honey prepared by non-Zoroastrians. Fruit touched by the latter has to be washed before it is eaten (Nariman Hashang Rivayat). Any marriage with the non-Zoroastrian is strictly prohibited."<sup>13</sup>

Thus, like the Hindus in similar circumstances the

10 Hastings : "Encyclopædia," vol. x, p. 321.

11 S. C. Roy : "Caste, Race and Religion in India," *Man in India*, vol. xiv, June, 1934. no. 2, p. 175.

12 Rivayats are Reports, i. e., explanations, brought from Persia from 1478 to 1768 A. D. for the use of the Zoroastrian refugees in India.

13 Hastings : "Encyclopædia," vol. vi, pp. 153-54.

Zoroastrians developed strict prohibitive rules about food and marriage. "With the Parsis eating and drinking are religious rites."<sup>14</sup>

### Greece

The Hellenes had strong notions about purity. Not only bloodshed, but any contact with the dead and the ghost world was regarded as impure. The household of the dead person was considered as impure, even those who attended the obsequies were regarded as impure. In the case of childbirth,<sup>15</sup> both the woman and the man of the house used to become impure, as childbirth was a strong source of impurity. Though the Greeks were generally freed from the notion about clean and unclean animals, yet, certain temple laws indicate that in order to attain the necessary condition for participation in religious service, one should have to abstain for a time from eating certain foods. This gave rise to taboos on salt-fish, cheese, garlic and perhaps pork (perhaps due to Asiatic influence).<sup>16</sup>

Thus, in the case of the Greeks we find that notion about unpurity was very strong in some cases as mentioned above; in these matters they went further than the Hindus. Then, this idea of purity gave rise to some taboos which in the case of cheese and garlic were identical with the prohibitions of the Hindu Smṛiti texts.<sup>17</sup>

### Rome

The ancient Romans had their notions of purification and taboos as well. The priest of the *Flama Dialis* was subject to

14 I. I. Modi : "Anthropological Papers," pt. II, pp. 63-64.

15 Hastings : "Encyclopædia" vol. x, p. 486. Regarding the impurities in connection with a corpse and childbirth, compare the Hindu Law. *Vide*—Manu, V. 85.

16 Hastings : "Encyclopædia," vol x, p. 486.

17 *Vide*—Manu, v. 5-6.

“galling restrictions and a long list of taboos. He could not touch, approach or name any animal or subject with which in Roman religious consciousness an idea of uncleanness was associated—a corpse, a bier, raw meat, beans, a dog, a goat, or a horse. He was forbidden to hear the sound of the flutes played at a funeral. In a word he was excluded from every possible contact with death or with anything with the cult of the dead.”<sup>18</sup> Besides these, there was another series of taboos for him! “If a man in fetters entered his house, he was immediately released and the chains in order to prevent the pollution of the house, were thrown out through the *confluvium*. A slave could not touch him, and only a freeman was allowed to cut his hair.<sup>19</sup> He could be shaved only with a bronze<sup>20</sup> razor.” Again, some of these taboos were originally applied to the Flamen Martiales order of priesthood.<sup>21</sup>

Again, the purification of the newly-born babe was necessary. Moreover, there were taboos on women on particular occasions, and on iron as mentioned above. In Roman public and private rituals there were distinct survivals of some of the taboos. A stranger was dangerous, it survived in Roman ritual. Again, the notion of taboo affected certain places, *viz.*, the place where a corpse was deposited was a taboo. Further, the notion of taboo on religion affected place as well as certain times. Fowler says, “We may add times and seasons to the list of those objects—animate and inanimate, which were affected by the practice of taboo on primitive Rome.”<sup>22</sup>

18 Hastings : *op. cit.*, p 329.

19 Compare the Brahmanical ordinance that the touch of a low Sudra is a pollution to a Brahman !

20 Compare with ancient Vedic injunctions in Tatt. Brah. (1. 25) where to shave with a copper razor is spoken.

21 Hastings, *op. cit.* p. 329.

22 F. N. Warde Fowler : “Religious Experience of the Roman people,” p. 41.

Thus we see, the ancient Romans had definite notions of purification and taboos on animals and inanimate objects. Their ideas of purification led the restrictions known as taboos and they lived under this code of taboo. In these practices they had good many similarities with the Hindus.

### Modern Undeveloped Races

The institution of Purification leading to restrictions which are known as Taboos are to be observed also among the undeveloped races of the world. Among the Polynesians<sup>23</sup> there are religious, political and social taboos.<sup>24</sup> These taboos are "used by priest and nobles for their own ends," and they bear the stamp of class-character in them.<sup>25</sup> With the Polynesians every priest and every gentleman is a taboo (sacred). Besides this, many of the present-day undeveloped races and tribes have their ideas of purification and taboo which are all based on notions on food and contact. Thus the American Indians hold that "anything placed in contact with a sacred object acquires the sacred nature of that object, and anything thus made sacred cannot be eaten or used for cooking."<sup>26</sup> With the Kaffirs of South Africa, "uncleanliness" is attached

23 Dr. Craighill Handy, in his paper on *The Problem of Polynesian Origins* (Bernice P. Bishop Museum, "Occasional Papers," ix, 8), points out that a social order with fourfold division existed in Polynesia. He also says, the Polynesian word "Mana" is derived from the Sanskrit root "*mana*," to think. Further he says, "The Polynesian *Mana* concept is distinctly the outcome of a system built about a priestly aristocracy. Of such a system the Brahman caste in India stands as one exemplification, while the Polynesian *mana* endowed *ariki* stands as another. The two are, I believe, products of divergent evolution out of a common parental social and religious system." p. 318.

But there is also another opinion that the word "*Mana*" is not derived from the Sanskrit "*Mana*." Vide—S. C. Roy in "Man in India," vol. xiv, no 2.

24 E. Crawley: "The Mystic Rose." p. 10.

25 Vide—Max Schmidt: "Ethnologie"; Freud: "Totem and Taboo."

26 Crawley: "The Mystic Rose," pp. 80 ; 61-85.

to mourners, enchanters and murderers. With the Melanesians the ideas of taboo are attached to men generally. Amongst the Red Indians of Costa Rica, "two kinds of ceremonial uncleanness are extant. In Fiji, the tabooed persons wash in a stream, then they wipe their hands on animals such as a pig or a turtle, which becomes sacred to the Chief. This act sets the man off from the taboo." Again, "amongst the Maoris, a slave entering a sacred place (Wahi tapu) had to take off his clothes first, else they would be rendered useless." In Efate, one of the New Hebrides, there is the idea of *namin*, i.e., ceremonial "uncleanliness." It is divided into uncleanness of the death and childbirth. In case a scared man comes in contact with *namin* it destroys his own 'sacredness.'-7

Thus, illustrations can be multiplied which show that the notions of purification and taboo are extant with the peoples living in various stages of social development. Their ideas of "uncleanliness" and "sacredness" underlie the notion of taboo.

## II

### Notions of Purification and Taboo in Hindu Society

Now let us enquire into the conditions of the Hindus. With the Hindus the ideas about the impurity of food and notions about touch or contact are to be referred as scattered in various old Sanskrit works. There the ideas of prohibitions that emanate from the notion of purification can be analysed as due to reasons which may be classified into three heads, viz., (i) *janyadosha* (fault that lies inherently in the cause itself), (ii) *sparsadosha* (fault due to touch) and (iii) *drihstidosha* (fault due to sight). All ceremonialism of purification and prohibition are necessitated from these three *doshas* or faults. Naturally the 'faults' and their purifications, i.e., penance and protection, i.e., taboos are

religious, social and sexual. But in the last analysis they can be summed up into taboos regarding food and contact.

The Manava Code forbids the eating of onion,<sup>26</sup> garlic, mushroom, some edible roots and a special kind of vegetable to the upper three classes (5.5). Also, the red coloured liquid that comes out of some trees and gets hardened, the hardened milk of a milch-cow that has delivered her calf for ten days only, are to be rejected by a Brahman (5.6). Again, the milk of those animals that can be drunk, should not be taken unless they have passed ten days after their delivery; the milk of camel, the milk of one-hooped animals such as horse, the milk of ewe, the milk of the cow whose calf is away or dead, should not be taken (5.8). The milk of forest animals with the exception of buffalo should not be drunk. Woman's breast milk is also not to be taken (5.9).

The flesh of carnivorous birds like kite, domesticated birds like pigeon, one-hooped animals (excepting those sacrificed in *yajna*) like ass should not be eaten (5.11). Likewise, fish should not be eaten (5.15).

These are some of the religious prohibitions or taboos. Then we come to the social one. "If a boy dies after cutting his teeth, or after having performed the ceremony of wearing the sacred thread (*upnayana*), then his kinsmen become impure. In the case of birth also the same impurity takes place" (5.58). "As people become impure (*asuchi*) in the case of the death of a kinsman, they likewise become impure in the case of birth as well" (5.61). "In the case of the death of the teacher, the disciple become impure for three nights, in the case of the death of the son or wife of the teacher, the disciple become impure only for a day and a night" (5.80). "In the case of contact by

<sup>26</sup> It seems onion and leek were also abominations with the ancient Egyptians. *Vide*—"The Satires of Juvenal," xv. 1 ff quoted in Moret's "The Nile and Egyptian Civilization," p. 366.

touch with a Chandala, a woman in her menses, a man degraded for killing a Brahman, a new born babe of ten days, a corpse, and he who has touched a corpse, one will be purified after a bath" (5.85). Again, "if the *dwija* classes touch fresh man's bone, then they will be purified after a bath ; in case they touch dry bones, then they will be purified by touching a cow or by seeing the sun after rinsing the mouth" (5.84). These are some of the social prohibitions or taboos.

Now, we come to the third set of taboos, *i.e.*, prohibitions, regarding sex matters. "If abortion takes place in a woman within the period of three to six months of her *encient* state, she will become impure for the same number of months. A menstruated woman will be pure to do religious work after five days, but after three nights will be pure to be received by her husband" (5.66). "Mixed class (*jati*) born of women of higher *varnas* are not to receive their last sacrificial oblation" (5.86). "Those women who follow non-Vedic, *i.e.*, heretic religion, give themselves up to many men, who commit abortions, kill their husbands, and those women of the *dwija* classes who drink, all these do not get their last oblation rites" (5.90). "A woman should not procreate a child by *mesalliance* ; in that case she will be defamed in this world and in the next world she will not attain heaven through that son" (5.161). "The son procreated by a woman with a man who is not her husband by a method other than *niyoga* (Levirate ?) is neither her son nor that of the man. Therefore, all women of good character are ordained not to have a second husband" (5.162). "If a wife leaves the husband of her own *varna* and takes a man of the higher class as her husband, she becomes blamable in this world and everybody says she had a husband before" (5.163). "A woman by becoming unfaithful to her husband, degrades her husband, takes next birth as a jackal and becomes very sick being attacked with leprosy and such like serious diseases" (5.168).



These are some of the sex taboos. Besides these, there are other taboos in connection with the above-mentioned list. These are in the *mores* of the people. We have said that all these prohibitions can be resolved into two forms, that of food and contact. As regards the prohibitions in these lines there number is legion. The Puranas elaborately describe the merits and sins attached to the use of various food<sup>29</sup> and contact with men. It seems the Gupta period in which the Puranas are supposed to have received their last recension and Brahmanism began to assume its present shape<sup>30</sup> is the epoch in which the regulations and prohibitions regarding 'clean' and 'unclean' things and persons have taken their definite forms. And this has been the age of Feudalism. It is the age when the pride of birth and blood, class and claim of hereditary privileges have taken their final shape in the Hindu polity which have produced the questions of a 'clean caste,' 'untouchable caste,' untouchability 'etc., in Brahmanism.

The *mores* of taboo is universal in humanity, and we have seen that it is to be found amongst various races in their course of evolution. Also we have seen that the Indo-European races have also passed through that stage as well. Hence the question of formation of social grouping by the force of *Mana* or by some other mystic spirit cannot be entertained in the case of Hindu society. We know that the spirit of taboo comes from the force of class-struggle as attested in the case of the Polynesians. When the upper classes proclaim certain things as taboos, the spirit of class-arrogance and superiority lurk in the background. The upper classes in order to safeguard their privileges and to pose themselves as superior

<sup>29</sup> It seems the question of food taboo has given rise to the questions of "uncooked (*kaccha*) food" and "cooked (*pucca*) food" amongst the Hindus.

<sup>30</sup> The sacredness of cow is attested in an early Gupta inscription, *vide*—C. I. I. vol. III, p. 34.

to the rest of the community, hedge themselves with lots of purificatory rites and prohibitions.

If we analyse the sources of the prohibitive laws of the Hindus we find that the eating of onion, garlic, mushroom, etc., that are prohibited to the upper three classes may have its origin in the first category of prohibition, *i. e.*, the fault lies in the cause itself (*i. e.*, with the origin of the thing itself). The commentator Kulluka Bhatta,<sup>31</sup> in a way of explanation says, the roots and vegetables grow in dirty places and fertilized by dirty things, hence they cannot be eaten by the *dwijas*, but those are not forbidden to the Sudras! Here as according to the law-givers, the fault lies with the origin of the things, hence they are tabooed. On the contrary, the class-character of this injunction is clearly seen when these are allowed as edibles for the Sudras.

Then we come to the fault of the second category, *i. e.*, the fault that arises due to sight. It is a universal phenomenon, everywhere the curse of "evil eye" is a known superstition. The fountain head of Brahmanism, Manava Code, does not mention it. But it is mentioned in a latter day book, "Padma-Purana" (1. 13. 399-400), which says "eat in a way that people cannot see your food or drink, and regard equally pleasant and unpleasant things. This is the way to eat. You should do that." In the case of members of undeveloped societies the acts of eating and drinking are regarded as the sources of transmission of the properties of the persons concerned. Hence in those societies people eat alone and in private.

The custom of eating in silence is also to be found amongst the Ahts, the Maoris and the Siamese.<sup>32</sup> In this

31 *Vide*—Commentary of Kulluka Bhatta on aphorism. 5. 5 of Manu.

32 Crawley: "The Mystic Rose," p. 129.

way one tries to be free from harmful properties that may be transmitted to him from outside during eating. By this method he tries to save himself from outside influences and keep his own individuality. Thus he tries to rise above others ; and in the case of avoiding the sight of the men of inferior classes and of the Sudras in Hindu society, the idea of receiving the evil properties of the lower sort of peoples to one-self is implied. Hence, in the case of eating alone the assertion of class superiority underlies good many cases.

Then we consider the third category of fault, *i. e.*, the fault arising out of touch. Manava Code ordains a bath as the means of purification in case one touches a Chandala ( 5. 185 ). This is the penance for touching an "outcaste." The outcaste Chandala had been a taboo with the Brahmans even in post-Vedic days.<sup>33</sup> But the Padma-Purana says, "Brahman narrates, the man who dies with the food of a Sudra in his stomach, becomes a ghost (*pretajoni*) ... He who officiates as a priest to undesirable persons, leaves his *cliente* (*yajamana*) and serves the Sudras he becomes a ghost, he who is attached to the cooking of the Sudra becomes "ghost."<sup>34</sup> Again, it narrates, "Kasyapa says, you have become degraded by being in company with the Chandalas though born in a Brahman family ; your ancestors must be living in Hell."<sup>35</sup> Also this Purana speaks of the Mlecchas to be as untouchables when it narrates the conversation between Kasyapa Muni and the divine bird Garuda : thus it says, "Then Kasyapa Muni being afraid of getting the sin for killing a Brahman said to Garuda, 'You along with the Brahman vomit the Mlecchas all around.' The

33 *Vide*—Fick : "Social Gliederung."

34 Padma-Purana, I, 32. 47-50.

35 *Ibid.*, I, 47, 59-60.

king of birds Garuda, hearing the order of his father and understanding his fault, vomited the Brahman along with the Mlecchas in various forests and mountains ... In this way the Mlecchas got different names and lived in different places. One has to bathe along with his clothes if he touches them. But alas in this evil *Kali Yuga* people for the sake of gain are keeping themselves in touch with these Mlecchas who live in countries devoid of religion”<sup>36</sup>

In this story we notice two phenomena: one commits sin if he puts the Brahman in his stomach, i. e., the sin of killing a man of superior class will fall on a man of lower order, because the contact with the qualities of a man of superior order is unbearable to a man of inferior order. It means, a sin is committed in killing a man of superior class. And we find that the Mlecchas have been still further degraded in the Puranas. In *Manu* and in *Patanjali* we find the Sakas and the Javanas classed as Sudras and above the so-called untouchable *varnas*. But in this book the name of the bearded, horse-riding, beef-eating *Turuskas* (Turks)<sup>37</sup> are mentioned as one group of the Mlecchas<sup>38</sup> and their touch is regarded as more polluting than the Chandala as we see in the difference of penances ordained in both the texts! Thus it is evident that this injunction was formulated at the period when the Turks came to be known to the Hindus and the struggle with the Central Asiatic hordes had been intense. It is clear that the prejudice of the upper classes of the Hindus

36 *Ibid.*, I, 47. 67-75

37 This internal evidence attests that the Padma-Purana was written at a very late date when the Muhammadan Turks appeared on the horizon of India. This, again, attests the fact why this Purana emphasizes ‘clean’ and ‘unclean’ things and persons in such strong terms.

38 Padma Purana, I, 47, 72.

against the foreigners gave rise to this ordinance. Then, this text gives a list of objects whose touch is regarded as impure, viz., an outcaste, a leper, a Chandala, a beef-eater, a dog, a woman in her menstrual period, a *Villa* (Bhil). And it ordains that by bath one would be cleaned of their impurity.<sup>39</sup> The idea of impurity arising out of contact implying also touch with certain kinds of edibles is further elaborated in the rules of conduct ordained in this text when it says, "One should not eat dried fish, putrefied things, unholy things, the remnant of the food eaten by others<sup>40</sup> or food cooked for another. Never shall one even for a moment keep the company of a dishonest man nor shall travel with him ... one shall not talk with an untouchable, an outcaste and an angry person."<sup>41</sup> Here, we see that the touch of certain animate and inanimate objects have been tabooed. In this case, the taboos regarding dietetics and social conduct have been put together. On the other hand, the eating of certain fruits as Amalaki (Myrobalan) is considered as meritorious.<sup>42</sup>

By enquiry into the habits of the Buddhists we find that they also entertained some notions about clean and unclean things. The Chinese Buddhist monk I-tsing who travelled in India in post-Gupta period observed the following customs of the Buddhists of India which he recorded in his book.<sup>43</sup>

In perusing this book we find the following: That the Buddhists had prohibitive rules in the matter approaching the

39 *Ibid.*, I. 48, 32

40 This probably gives rise to the modern custom of *jhuta* (tasted food) with the Hindus. The Buddhists also had similar notion. *Vide*—I-tsing, ch. iv.

41 Padma Purana, I. 49, 108-110.

42 *Ibid.*, I, 60, 2.

43 I-tsing: "A Record of the Buddhist Religion as practised in India and the Malay Peninsula" (671-95 A. D.), translated by I. Takakasa, 1896.

holy places. "That one should not walk round the holy *stupa* with sandals on was taught expressly from the beginning ... And it has been proclaimed that a priest must not approach the temple with his slippers on" (ch. II).

Then, there were rules of purity to be observed at the dining place. "In India the priests wash their hands and feet before meals, and sit on separate small chairs ... The chairs are ranged at intervals of one cubit, so that the persons sitting on them do not touch one another ... to preserve what has been left from the meals ... is not at all in accordance with the Indian rules ... By being gathered from the table, the food pollutes the trays, and those who serve touch the clean utensils. Thus making the preservation of purity vain" (ch. III).

Again, the Buddhists had notions about clean food. "Among the priests and laymen in India it is customary to distinguish between clean and unclean food. If but a mouthful of food has been eaten, it becomes unclean, and the utensils in which food was put are not to be used again ... It is not also proper to touch each other while eating at the place of invitation or general dinner . . This is the custom among both rich and poor, and is not only a custom observed by us, but *even by the Brahmans*." After eating, "if any one touches another before rinsing the mouth, then the latter has to rinse his mouth as well" (Ch. IV)

In the case of invitation of the *Vikshus* by the lady (*upavastha* day) the author further says, "Each priest sits on a small chair ... it is not wrong, however, to use earthenware utensils once, if they have not been used before ... wooden articles are scarcely ever employed as eating utensils, yet, if new, they may be used once, but never twice, this being prohibited in the *Vinaya*" (ch. IX).

Then the traveller describes the food edible for the Buddhists. He says, "Panchabhoganiam and Panchakhadaniyam are often

mentioned in the Vinaya ... The five *Bhoganiyas* are (i) rice, (ii) a boiled mixture of barley and peas, (iii) baked corn of flour (bread ?), (iv) meat.<sup>14</sup> (v) cake. The five *Khadaniyas* are (i) roots, (ii) stalks, (iii) leaves, (iv) flowers, (v) fruits ... we may regard milk, cream, etc., as blends of the two groups of the five mentioned above." Then he says, "None of the people of all the five parts of India eat any kind of onions (onions are forbidden in Kull, V, 34. 1) or raw vegetables" (ch. IX).

Then, there are rules for bodily cleanliness as the author describes. "Having been to lavatory, one becomes impure, and a purification of one's body, hands and mouth is necessary, so too when one's body or garments have become impure, stained by anything such as saliva, mucus" (ch. XVII).

The evidences given by the Chinese traveller bear testimony to the fact that the Buddhist also had definite notions regarding food and touch restrictions, and some of them agree with the Brahmanical rules. The Vinaya text contains strict rules of conduct. These restrictions evince that the food and contact taboos were in the *mores* of the Indian people; they were not particular inventions of the Brahmanical priesthood as Mana or mystic power to charm the people for exploitation. The origin of these taboos must lie in the period when there was neither Brahmanical nor Buddhist priestly exhortations to the laity to follow their injunctions. These taboos must have been the common *mores* of the Indian people. Their roots lie in the prehistoric tribal institutions.

The sociologists speak of *Totem* in connection with the institution of taboo. Some of the taboos are derived from totemistic prohibitions. Various undeveloped races of the world derive their taboos from their totemistic cults. The so-called

14 Three kinds of pure meat are allowed to the Buddhists (Mahavagga, VI. 31.

aboriginal tribes of India have their totems with their accompanying taboos as well. But coming in contact with Hinduism they drop their totemistic faiths but retain the taboos derived from them as these are already ingrained in their *mores*.<sup>45</sup> Thus, many of their prohibitive laws are the taboos of older days.

It has been said that the Indo-European and Semitic races never have had any totemistic stage of development. But recent researches are finding out the traces of the same amongst these people. Now a days, it is being found out that the Indo-European and Semitic speaking peoples were not immune from the phenomena of "totem" and "taboo." Freud says, "Many traces and survivals otherwise hard to interpret lead to the conclusion that totemism once existed amongst the aboriginal Aryan and Semitic races of Europe, so that many investigators are inclined to recognise in totemism a necessary phase of human development through which every race has passed."<sup>46</sup>

As regards the prevalence of totemism amongst the Indo-European races of ancient Europe, Warde Fowler says, "About Totemism all I have to say is this ... Dr. Jevons following in the steps of Robertson Smith found plenty of totemistic survivals both in Greece and Italy in writing his valuable Introduction to the History of Religion."<sup>47</sup>

The ancient Celts had their totemistic beliefs as well. "The sea, rivers, wells, mountains, trees, sun, moon, stars and winds or the spirit of these were worshipped, invoked in magic runes ... Manannan—the sea god—was first the sea itself, and an animistic view of the sea prevailed." "Tree worship is associated with the cult of the oak." Then there were animal cults, "The cult

45 B. N. Datta : "Traces of Totemism in some Tribes and Castes of North-Eastern India," in *Man in India*, Vol. XIII, Nos. 2 and 3.

46 S. Freud : "Totem and Taboo," p. 5.

47 W. Warde Fowler : "The Religious Experiences of the Roman People," p. 26.



of animals originated in the period when men worshipped the animals which they hunted or reared." Then, the "cult of animals gave place to anthropomorphic diversities of animals." Thus, "certain data point to the existence of totemism among the Celts or of conditions out of which totemism was elsewhere developed ... These are : (a) tabued animal, (b) animal sacraments,, (c) animal descent, (d) exogamy."<sup>48</sup>

Now, we come to Aryan India. The Indologists in general do not talk of any trace of totemism in the Vedas, yet some suspicion has been aroused in the minds of some like Hopkins, Oldenburg and Macdonell. The former says, "Even totemism as a survival may be suspected in the 'fish' and 'dog' peoples of the Rig Veda, as has recently been suggested by Oldenburg."<sup>49</sup> Again, he says, "The famous (totemistic) tortoise legend was originally Brahman's."<sup>50</sup> Again, Macdonell and Keith say, "The Matsas (fishes) were probably Aryan."<sup>51</sup> Further Macdonell says, "Plants (in the Vedas) are frequently invoked as divinities chiefly in enumerations along with waters, rivers, mountains, heaven and earth. One entire hymn (Rigveda; 9. 7) is, however, devoted to the praise of plants (*oshadhi*) alone, mainly in regard to their healing powers. Later Vedic texts mention offerings made to plants and the adoration paid to large trees, passed in marriage procession."<sup>52</sup> In this connection one should not forget the adoration made to King Soma and the deification of the same plant. One should suspect a trace of totemism in the deification of the plants, trees, rivers and animals as Freud along with the ethnologists defines a "totem" as made not only

48 Hastings : "Encyclopaedia," "Celts," Vol. 4, pp. 295-97.

49 E. W. Hopkins . "The Religions of India," pp. 430, 537.

50 *Ibid.*, *op. cit.*, p. 430.

51 Macdonell and Keith : "Vedic Index," Vol. I, p. 378.

52 A. A. Macdonell : "History of Sanskrit Literature, p. III.

out of an animal but also plant or forces of nature, *viz.*, rain and water as well.<sup>53</sup>

Of course no clear trace of totemism is to be found in the Vedas as other characteristics of totemism are not present there. But one should not forget that the Vedas speak of a people who were comparatively in advanced stage of social organisation. Zimmer speaks of the Vedas as depicting the youth of the Vedic Aryans. Hence, it is not possible to trace the primeval institutions *in toto* in the Vedas.

Further, with the discoveries at Harappa and Mohenjo-daro the vista of prehistoric India has been opened before our eyes. There, the investigators find "the traces of tree and animal worship and suspect that a certain form of animal taboo had been prevalent."<sup>54</sup> Of course, no clear trace of totemism has been found in these remains.

Thus by a comparative study of the condition of the Indo-European peoples of antiquity we find that totemism could not have been unknown to them. If the structure on which totemism had developed has disappeared, some of the functions do remain by which one can trace the source. Hence some of the restrictions and injunctions which seem to have got religious and social sanctions may have been the taboos that arose out of those totemistic influences. Hence, the notions of prohibitions and restrictions are not peculiar to the Indo-Aryan or to the modern Hindu, nor did these originate from outside influence. These taboos leading to religious, social and sex restrictions known as Hindu "caste rules" are not the peculiar product of India or have arisen out of pre-existing conditions. These are the product of the *mores* of the Indo-European race on the Indian soil and have taken their forms according to the socio-economic conditions of the epochs of History. Truly Eggelin

53 S. Freud, *op. cit.*, pp. 3-4.

54 Sir J. Marshall: "Mohenjo-daro and the Indus Civilization," Vol. I, pp. 65-74.

of animals originated in the period when men worshipped the animals which they hunted or reared." Then, the "cult of animals gave place to anthropomorphic diversities of animals." Thus, "certain data point to the existence of totemism among the Celts or of conditions out of which totemism was elsewhere developed ... These are : (a) tabued animal, (b) animal sacraments,, (c) animal descent, (d) exogamy."<sup>48</sup>

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53 S. Freud, *op. cit.*, pp. 3-4.

54 Sir J. Marshall: "Mohenjo-daro and the Indus Civilization," Vol. I, pp. 65-74.

says, "Evidence has been steadily accumulating of the existence of restrictions to inter-marriage, and to the right of eating together (commensality) among other Aryan tribes, Greeks, Germans, Russians and so on. Even without the fact of the existence now of such restrictions among the modern successors of the ancient Aryans in India, it would have been probable that they also were addicted to similar customs." Rhys Davids also says, "Rules of endogamy and exogamy, privileges restricted to certain classes, of eating together, are not only Indian or Aryan, but *world-wide phenomena*. Both the spirit, and, to a large degree, the actual details of modern Indian caste-usages are identical with those ancient and, no doubt, universal customs."

55 Compare the "Religious Gilds and the Gilds of Kalender" in Mediaeval Germany. *vide*—Brentano "On the History and Development of Gilds and the Origins of Trade Unions," Pt. I, also Wilda: "Das Gildewesen in Mittelalter."

48 H. D. Eggeling; "Hastings' Encyclopædia of Religion and Ethics." Quoted in *Man in India*, Vol. XIV, No. 2, p. 98.

49 Dialogues of the Buddha, p. 97.

## CHAPTER IX

### Untouchability in Hindu Society

In the previous chapter we have seen that rules about purification and prohibitions are not peculiar phenomena of the Indo-Aryan society alone, but common to the Indo-European peoples and the races outside them. We have also seen that the Hindu religious texts have laid down certain rules regarding purity and impurity of certain things and untouchability of some order of people. But the exaggerated forms in which we find these phenomena existing in the modern Hindu society call for an enquiry. Hence we will have to enquire whether these have developed from the Indo-Aryan polity itself or are the results of extraneous influences.

The modern orthodox Hindu society is based on *achara*, i.e. every orthodox Hindu has to follow in his life the definite rules of conduct laid down in the religious texts. But a pertinent question arises here—what do we mean by the orthodox society when there are various sects with opposite practices within it? By orthodox Hindu society is to be understood the society, which acknowledges the *infallibility of the Vedas* and the *Varnasram hierarchy* with the Brahman order at the head of it. Also it observes strictly the rules of *achara*. Along with it, a certain amount of divine halo is put around the Brahman as he is the *bhu-deva*, i.e., god on earth! This is what is termed as *Brahmanism*. In our enquiry into the development of the social system of the Hindus, we have found out that through various vicissitudes of history, the Brahman after acquiring political power changed the laws and institutions in their favour, the Brahmanical counter-revolution made *fait accompli* of the ambitions of the Brahman priesthood which can be traced

from the Vedic age itself. With the development of Brahmanism, Vedic practices began to fall off or modified themselves to new conditions ; hence institutions began to take new shapes though the spirit remained the same. Thus, we don't find the importance of the Vedic Gods in the Epics and in the Puranas but we see the appearance of the Hindu Trinity (*Trimurti*) as above the gods Indra, Varuna, Aswinî Kumar twins, etc. and a divine hierarchy to regulate the celestial matters. In this way, the terrestrial development has been reflected in the heavenly world. Again the regulations about purification and taboo which we find in the post-Vedic Sûtras expanded into definite rules about pure and impure things. Thus the ideas of purification and taboo that we find in the Smṛiti texts have their inceptions in the Sûtras. After the Smṛitis came the Pauranic age, *i.e.* the period when the Puranas got their last recensions. This period of new development should be the age intervening between the rise of the Bharasivas and the imperial Guptas. In the Puranas we find Vishnu worship being developed into a cult. Vishnu, whom we find mentioned in the Vedas as a god, is in the Puranas developed as the almighty God. It is probable the Vishnu worship as *Vaishnavism* got its impetus in the Gupta epoch as the imperial Guptas are said to have been Vaishnavas themselves, and we find large number of Vishnu temples being erected during their rule.<sup>1</sup> This development of Vaishnavism took place within the body-politic of Brahmanism. At the same time, we find the rise of Saivism, the cult of Siva or Rudra worship. It is connected with phallic worship through symbolism. Phallic symbols of man and woman in the forms of Stock and Cone, used to be worshipped by the ancient Semites. Again, amidst the remains of the Hittite Capital of Boghaz-Kuei statues of Gods on

<sup>1</sup> Vide—C. I. I., vol III

bas-reliefs have been discovered, depicting a bearded god with trident in hand, and a goddess with hair hanging down, standing on a lioness or Panther, and under their out-stretched arms appear the front parts of bulls (perhaps goats). Also a youthful god with double headed axe in hand standing on a lioness by their side is to be seen<sup>2</sup> (*vide*—Frazer Abonis). These gods resemble Siva and Parvati with their warlike son Kartikeya. The phallic worship of Shiva may have some connection with the same sort of worship of Western Asia. The worship of *Sisnadeva* has been condemned in the Rik-Veda yet, it seems the name of Vedic God Rudra has been borrowed by it. And as early as in the Satarudriya texts of the Vedas we find the attributes of Siva or Rudra of this cult have been imposed on the Vedic Rudra. Epigraphic records attest that Vaishnavism and Saivism existed from the time much earlier than Third century B. C.<sup>3</sup> It may be that the Siva cult is older than the Vishnu cult, and even to-day there are rivalries between the two. But both claim to be orthodox cults and both the sects are included within the folds of Brahmanism. Besides these there are other cults, *viz.*, Ganapatyas, Sauras, Saktas who are all counted as members of the orthodox group. Thus whatever may be their deviations and differences of interpretations of the scriptures, they all follow *varnasram* social polity and all follow the *achara*. In modern India, the man or the sect that does not follow the *varnasram* polity and the *achara* prescribed by it, is known as the unorthodox man or heterodox group, according to their amount of deviation from the standard of orthodoxy. Thus, some of the reforming sects

2 Sir J. Marshall says that the signs of phallic worship have been discovered in the remains of Mahenjo-daro, but no trace of Vishnu worship has been traced in them. *vide*—“Mohenjo-daro and Indus Valley Civilization”.

3 Ep. Ind., vol. II. “Votive inscriptions from the Sanchi Stupas” by Buehler, pp. 92-95.



that arose during the Muhammedan period may be called as unorthodox, *viz.*, the Gauriya school of Vaishnavism, Daduism, Kabirism, or as heterodox as Sikhism of the North and Lingayet cult of the South.

Thus, the standard of a Hindu's adherence to orthodoxy is measured by following rules of modern Hindu social-polity and the *achara* laid down by it. On this account, many members of the reformed sects of Daduism, Kabirism and Sikhism, though adhering to the religious tenets of their sects, yet remain within the fold of the orthodox society as they in their social lives follow the Brahmanical social-polity and *Achara*. Similarly, the members of Reform movements that arose in the middle and latter part of the nineteenth century, are regarded as outside the pale of the orthodox society or included within it, according to their living up to the standard of the orthodox injunctions.

Thus, we see, that the orthodox sects have got a common basis in living up to the standard of Brahmanism. But this Brahmanism is full of elaborate rites and ceremonies. The Puranas contain the expositions of the same. In these texts we do not find the Vedic sacrifices mentioned as duties, but instead, new rites and ceremonies with hard and fast positive and negative rules of conduct are enjoined. In these rules we find that questions of pure and impure things and persons are considered. This type of Brahmanism as depicted in the Puranas is nothing but a rich conglomeration of ritualism and ceremonialism of all sorts. Hence Neo-Brahmanism developed elaborate Litanees and Rituals. On these accounts the questions of purity and touchability are taken up seriously in this stage of Brahmanical development. The Padma Purana, Baraha, Purna, Brahma Purana, and other Puranas contain elaborate expositions of these questions. These texts advocate Vishnu worship and non-killing. Besides these, the ideas about food and contact have been developed in them. Thus, the food after

being offered to Vishnu becomes holy. Baraha Purana says, "After finishing my (Vishnu's) worship, if the remnants of the offered food be eaten then the ultimate happiness is achieved." Skanda Purana says, "The remnants of offered food (*naivedya*) is like the merit of ten millions of *jajna*."<sup>4</sup> Bhagabata Purana says, "For self-purification and for the fulfilment of one's desires one should eat the food offered to the Lord or give it to the devotees to eat" (Ch. VIII). Again, Padma Purana says, "the food of a non-Vaishnava, the food of an out-caste and the food not offered to Hari are like dog's meat" (Uttara-khanda Siboma dialogue.)"

Here the idea that the food being offered to God acquires divine quality and one becomes the recipient of the same after eating, is to be discerned. This idea is to be found in other religious and primitive beliefs as well.<sup>5</sup> If it be the mystic force of *mana* that transubstantiates the offered food into a holy one, receiving the qualities of the god to whom it is offered then this idea is neither peculiar to Brahmanism nor is it imported from outside. This idea is to be found amongst the developed religions and amongst the primitive faiths of the undeveloped races as well.<sup>6</sup>

This idea of the food becoming holy after being offered to the deity has developed the distinctions between clean and unclean. The Kurma Purana says, "If any one eats without worshipping Hari, then the food of that irreligious man becomes like the excreta of a dog, and his water becomes like wine!"

Following this idea of clean and unclean food, we find that

4 In South India the sanctity of '*prasada*' (remnants of *naivedya*) was given a new significance by Basava the restorer of Vira-Saivism vide—Ep Ind vol. XXI. No. 2. p. 10.

5 Vide—Crawley "Mystic Rose".

6 This Hindu idea is similar to the Christian idea of Transubstantiation when bread and wine become Christ's flesh and blood.















the prohibitive rules have been developed. Thus, the Kurma Purana says, "It is forbidden for the *dwijas* to eat the food of a Sudra ... As all the sins of man lie in the food, hence he who eats the food of a man gets (lit-eats) the sin of that man."

Here, we find the idea of contact is developed. One gets defiled by eating the food of a man of the lowest class. That is, the good properties of the food gets lost by being touched by a man of the lowest order. The transmission of the properties of a person by touch is involved here. This idea is clearly attested in the Padma Purana when it says, "Oh Brahman, as the fishes, the tortoises and the birds maintain their young ones by sight, meditation and touch, likewise I, maintain my devotees by sight &c." (Bhagaban-Brahma Dialogue). Again, says the Brahmanda Purana, "The devotees of Sri Hari, by sight, touch, conversation and association can make a Chandala holy (Saying of Chitra Gupta in Janmastami Mahatmya)." On the other hand, the Vishnu Purana says, "one should not talk with or touch the sinning *pasandis*" (heretics or atheists). The same Purana prescribes penances for seeing the *Pasandis*.

Here again the idea of contracting impurity or sin by touch is expressed. The idea that is implied here is, that by contact or touch, a heretic can impart his nature to the body of another. Thus it is clearly seen that the seeds of purity and touchability questions lie in the Vaishnavism of the Puranas. And by perusing the Puranas one can find that these again quote the Srutis and Smritis for their justification.

Again, certain plants such as *tulasi* (sacred Basil), *amalaki* (Myrobalan) are regarded as holy and fit for offering to Vishnu. In Garuda Purana the Lord says, "He who in his everyday worship does not offer me the leaves of the *tulasi* plant, his offering is not accepted by me. I do not accept his offering for a hundred years." The Brihad Naradiya Purana says, "In whose house *tulasi* plant does not exist for the worship of

*salagramсила* (symbol of Vishnu), his house is unpropitious like a cremation ground !” The Skanda Purana speaking of the superiority of the *tulasi*<sup>7</sup> plant, says, “In ancient times during churning of the nectar, Hari for the good of mankind has created *tulasi* with the extract of all the herbs ; hence no better leaves are to be seen than the leaves of *tulasi*.”<sup>8</sup>

Again, the *amalaki* tree is praised in Padma and Skanda Purana for their holy qualities. The Skanda Purana says, “If any one worship *chakradhari* (Vishnu) by touching the shade of *amalaki* tree, then he gets the merit of *aswamedha* sacrifice according to the number of flowers of the tree. ... If a man applies the *amalaki* fruit on his body, and carries the fruit in his person and eats it, then he becomes like Narayana (God). Thus, the sense is implied here that by the contact of the fruit of this tree, the God-like qualities become transfused to the body of a person. Here the idea of contact is very clear.

Besides these, various fruits and flowers are considered as fit for offerings. But the abovementioned plants are considered to have god-like properties. In this adulation one may discern some trace of totemism like that implied in Soma-worship.

Lastly, we come to the period of post-Muhammedan invasion. In this epoch of Indian history, Vaishnavism had its revival all over India. Though, the tendency of this movement was to be liberal towards the Sudras and the outcaste classes, and in many cases it transgressed the laws of *varnasram* yet the Vaishnava movement laid down definite rules regarding *achara* and *suchi* (purity). This movement began in the South,<sup>9</sup>

7 The Vaishnava texts have adored *tulasi* plant more than the *soma* plant got its adoration from the Vedic people.

8 The leaves of the *tulasi* plant are used as a house-wife medicine in India.

9 It is no wonder that the questions of purity and untouchability are so acute in South-India.

and strict laws regarding purification and untouchability were evolved there. Ramanuja, the great Vaishnava revivalist of the South in his expositions of the Brahma Sutra (Vedanta Darshana) known as 'Sri Bhasya' cited the Veda enjoining good *achara* and '*suchi*' (purity) for men (3-1-10). He enjoined *achamana* (washing the month and the right hand by repeating *mantras*) before meal as good *achara* by citing the Vedas (3-3-18). Again, by quoting the Chandogya Upanishad (7-26-2) he enjoined that only in time of dire necessity one can eat any kind of food (3-4-30,31). Here he emphasised that the distinction between clean and unclean food should be observed. Later, the Vaishnavas all over India accepted the regulations regarding purity and untouchability enunciated by this school. "Haribhaktivilas" contains in details the rules and prohibitions regarding pure and impure, touchable and untouchable things and persons. It was a book written by Gopalbhatta, a Southern Brahman disciple of Sri Chaitanya, the Vaishnava reformer of Bengal and annotated by Sanatana Goswami, a famous disciple of the same from Bengal. The book is regarded as the "Smriti" of the a Vaishnava sect of Bengal. In it, an attempt has been made to give Vaishnavite interpretation of Brahmanic religion and rites. Hence, in order to justify its interpretation of the Vaishnavite rites and ceremonies, the origins of the same have been traced from the Puranas and even from the Sutras and the Smritis. A perusal of this book clearly demonstrates the fact that the Hindu rules regarding clean and unclean things and persons, the question of defilement through contact, have slowly evolved from the primitive notions of purification and restrictions contained in the Grihya and Dharma Sutras. Thus, it quotes Baudhayana Sruti, Sankhya and Vrihaspati Smritis regarding the way of purifying rice, vegetable, root, fruit, clarified butter, oil, etc. (4-40). Again, it quotes Grihya Parisista, Katyayana Smriti and the Puranas regarding the nature and method of

fasting ; also it cites Vyasa and Satatapa regarding the restrictions of the use of various things in the fasting period (13. 14-32). Finally, this text contains an elaborate exposition of the conduct of life to be followed by a Vaishnava devotee.

From a perusal of "Haribhaktibilas" it is evident that the Vaishnavas laid down detailed rules regarding cleanliness, purity or untouchability of things and persons. The Vaishnava literature from the Puranas downward advanced hair-splitting arguments in these matters. To them life is full of taboos regarding food and touch. Some examples will illustrate the nature of restrictions. The Vasistha Smṛiti says, "one should not eat from the plate put on the lap, neither on the floor" (ch. 14). This implies that some raised stool used to be utilised as the dinner-table. This text was written before the Gupta era as it also enjoins killing of ox for the entertainment of a Brahmana or Kshatriya guest (ch. 4). But the use of tripod as a dinner-table is forbidden in the post-Gupta era (Vishnu Purana). 'Haribhaktibilas' quotes the Vishnu Purana (8-11-80) which after enjoining in which way one should sit at the time of meal says 'one should not eat by placing the plates on a wooden tripod,<sup>10</sup> should not eat in an improper place, also in an untimely period ; again it is forbidden to eat in a very narrow place (9. 11-121). Again the text quotes the Kurma Purana which enjoins that it is forbidden to drink water from a glass raised with the left hand (9. 123). Thus it is evident that all sorts of restrictions and prohibitions which are regarded by many as the bane of the present-day Hindu society, have been developed, mainly by Vaishnava religion. But the notions of purification and untouchability that have been slowly developing

10 The ancient Hindu custom, it is still in vogue in western U. P., Rajputana, in the Panjab Hills, and in the mountainous provinces of Eastern India. But in the Gangetic Valley and in the South, to eat in this way is prohibited ! Perhaps this custom has gone out of use in those regions due to the prohibition.

since the Vedic time, have become more or less the common properties of all the sects of the Hindus. Even the dissenting Jainas and the Buddhists did not completely escape the influence of these notions. As a result, the life of an orthodox modern Hindu is mostly taken up with the performance of observing the rules about innumerable taboos. Hence, a Brahmanist Hindu who lives up to the standard of his religion is nothing but a human automaton observing endless rules of purification and taboo !

## CHAPTER X

### Social Attitude of the Varnas to Each Other

So far we have seen that social divisions have existed in Hindu society from ancient times, and some of the strata have contended to be superior to the others. Again, the Dharma-shastras and the Arthashastras have given differential legislations for the regulations of the different *varnas*. The class-legislation of Hindu law is too glaring. Besides these, there are prohibitions of different sorts which give permanent badges of inferiority to the members of the lower orders. All these clearly demonstrate that the Hindu *varna* system bears the stamp of inequality on its face.

When such is the case, the question is naturally raised how the different Varnas, which since the modern period have prohibited *connubium* and *commensality* with one another and thus have converted themselves into "castes," put up with each other? The caste differences may naturally give rise to acrimonious quarrels with one another, these may give rise to fight for power, and their relations to one another may be intolerable. Taking these suppositions as the bases of our enquiry let us look into the history for light in these matters.

In a previous chapter we have traced the possible class-conflict in the ancient Indian polity. There we have seen, that originally the social-division was a class-distinction and there have been feuds amongst the classes. Later on, when India entered the international political arena we find a Sudra at the helm of the Indian state. The Sudra rule ushered in directly after the time-honoured Kshatriya rule came to construct a homogeneous Indian nationality, and India under Asoka was making fair progress towards political equality. "In India itself

Asoka's propaganda ... in breaking down racial barriers and making India a nation had the utmost far-reaching social and cultural influence."<sup>1</sup> But the Brahmanical counter-revolution disturbed the synthesis that was at work during the Maurya-Sudra rule, and the Indian state became a conglomerate of disharmonies. It is to be noticed in Indian history that if the earlier Buddhists have been largely recruited from the Vratya-Kshatriyas, the latter-day Buddhists were mainly drawn from the Vaishya and the Sudra classes. Indeed Asvaghosa criticising the Dharma School of legislation said that the Buddhist Sudras were as learned as the Brahmins and they were as good as the Brahmins (Asvaghosa's *vajrachchedika*). The disenfranchised and downtrodden Sudra went over to Buddhism. The attitude shown to him by the upper classes as depicted in the Dharma-shastras was anything but favourable. Indeed, Buddhism was especially identified, in the parlance of the orthodox people in 400-300 B. C. and later, with the Sudra (As ch. 77, p. 199).<sup>2</sup> Thus it is clear that if the out-casted Kshatriyas and the Kshatriya class in general, and the exploited Vaishyas went over to Buddhism, the flight of the Sudras to take refuge in that religion must have been general. Hence, it is no wonder that Buddhists became identified with the Sudra, and the class-struggle assumed a religious character. It seems the non-Brahmins were chafing under the socio-religious tyranny of the priestly aristocracy. It has been shown before that the ruling class and the priestly class had common origin, and the Brahmanical religious texts said that one could not do without the other. But when the exactions and the demands for privileges from the sacerdotal class went beyond limits, then bloody feuds broke out between the two to settle the dispute, otherwise both the classes acted as one in exploiting the lower orders.

1 E. B. Havel : "The History of the Aryan Rule in India," pp. 100-101.

Yet, the constant religious revolts of the Kshatriyas against the sacerdotalism of the Vedic religion and the founding of independent sects showed that there had been conflicts amongst the upper classes. The saying of the Panchala King Pravahana Jabala that *brahmanavidya* so long was known to the Kshatriyas only, and his doctrine of *Transmigration of Souls* leading according to its *karma* either to *devajana* or *pitrijana* has got some social significance (*vide*—Chhandogya Upanishad 5/3, 7.10). This is the first time that this doctrine was clearly enunciated. It ignored the efficacy of Vedic ritualism advocated by the priesthood. Thus the ideological revolt known as heresy which was preached by the dissenting Kshatriyas<sup>3</sup> must have had economic back-ground. It seems the functions of the classes in the course of time were hardening into hereditary duties and rights, wide privileges were being enjoyed by the classes in power which were detrimental to the less favoured classes. This necessitated a protest which in the course of time became a revolt from the orthodox polity. This state of things is evinced by the saying of Jayaghosa, a Jaina ascetic, who thus instructed a Brahman named Vijayaghosa, "By one's action one becomes a Brahman or a Kshatriya or a Vaishya or a Sudra" (Uttardhyayana Sutra, XXV, 24-33).

Thus, function rather than hereditary privilege is upheld here. Again, the same kind of protest has been raised from the side of Buddhism. In the Madhura Sutta, Gotama is said to have uttered that the Brahmins make their claims in forgetfulness of the past. "The claims have no basis in fact. It is righteousness (*dharma*) and not class-distinction (*varna*) that makes the real distinction between man and man."<sup>4</sup>

2 K. P. Jayaswal : "Manu and Yajñavalkya," pp. 91-92

3 The founders of the heretical sects were Kshatriyas.

4 T. W. Rhys Davids : "Dialogues of the Buddha." pp. 120-121.



When the revolt was led by the dissenting Kshatriyas, the Vaishyas and the Sudras<sup>5</sup> flocked around the standard of revolt. And in the fourth century we see the rise of the all-India empire under the Sudra Mauryas. In this age, we find the free Sudras enumerated as "*aryas*," and in the reign of Asoka, all legal disabilities and inequalities were removed. Thus the despised Sudra laid the foundation of an equalitarian homogeneous Indian nationality. But in the next epoch the Brahmanical counter-revolution upset the evolution thus set afoot. Under the counter-revolutionary Sungas when the Brahmins became the ruling class for the first time in India, all sorts of privileges and immunities were claimed by them and savage legislations were enacted against the Sudras in Manava Code. In perusing the Manava-Dharma Shashtra one can see clearly that the author was labouring under the hatred of the Sudra. The Sudra complex was in his brain and the whole code was instituted to put down the Sudra ! It is no wonder that in a subsequent age the Buddhist author of *arya-manjusri-mulakalpa* has nick-named Pushyamitra, the leader of this counter-revolution as Gomi the bull<sup>6</sup> who is called as the destroyer of Buddhism (530) and who destroyed monasteries with relics and killed monks of good conduct. In retaliation, this Buddhist author destined him to a dreadful suffering in hell (535-537) !<sup>7</sup>

With the ascendancy of the Brahman class Indian polity underwent a complete change. The old Vedic classes were getting stereotyped into hereditary divisions, the Brahman was proclaimed as the head of the social hierarchy ; religious texts were written, interpolated or expunged in favour of his

5 These castes in modern India have either gone over to Islam or are mostly the followers of different reformed religions.

6 The meaning of this nick name is not clear.

7 *Vide*—K. P. Jayaswal : "*An Imperial History of India*," pp. 18-19.

claim to semi-divinity. Yet, again a Sudra of lower order became the founder of an all-Indian nationality in the person of Samudragupta.<sup>8</sup> But whatever may be the "caste" of Samudragupta it is evident that he was a good instrument in the hands of the sacerdotal class. The Buddhist author of the abovementioned history speaks of him thus : "He (Samudra) was lordly, shedder of excessive blood, of great power and dominion, heartless, ever vigilant (mindful) about his own person, unmindful about the hereafter, sacrificing animals ; with bad councillors he greatly committed sin (694). His government (or kingdom) was inundated with carping logicians (*tarkikaih*) vile Brahmins ... on this earth on account of a fell disease he fainted several times (at his death), and in great pain he died, and went down (704-768)."<sup>9</sup> Thus the venom has been cast by this historian who certainly did not like the rehabilitation of the *varnasram* polity under Samudragupta. It is clear that Samudragupta who was a non-Brahman and a non-Kshatriya was not a protagonist of any sort of equality amongst the classes.<sup>10</sup> It is evident that by conciliating the Brahmins, he advanced the status of his own family.<sup>11</sup> It is said that the Brahmanical religious texts and Brahmanism received their present form in the epoch which began with Samudragupta. Hence all the complaints which the subsequent Hindu reformers made against Brahmanism (now-a-days popularly

8 Aryamanjusrimulakalpa in its Tibetan version calls him of Vaishya descent (T. 4636), but Jayaswal takes him to be a Jat by caste, *op. cit.*, p. 53.

9 K. P. Jayaswal, *op. cit.*, p. 48.

10 Truly Romain Rolland has said "In all times, the most disdainful and harshest toward the people have been those, who born of the people, have raised themselves by suppleness or by the strength of their wrists," (The Combat, p. 154). This description fits Chandragupta Maurya and Samudragupta.

11 The latter Guptas intermarried with the Brahman Kadamba kings. King Kakustha Varman gave his daughter to the Guptas (Ep. Indica, vol. viii. p. 24).





called as Hinduism) received their blessing in the reign of the dynasty of this monarch.

Thus present-day reformers have much to complain against the *varnasram* polity rehabilitated by this Gupta dynasty. It has become the fashion of many present-day Hindu writers to extol this epoch as the hey-day of Hindu civilisation and prosperity. But they forget or minimise the evil legacy left by this dynasty.<sup>12</sup>

In this epoch, we find that the *varna* division existed in theory only, or rather it was a mythical one.<sup>13</sup> On the other hand, we find the different occupational groups are becoming hereditary, each is beginning to confine itself into a water-tight compartment, and the Brahmanical theologians were disputing whether food touched by a man of a particular order should be drunk by the left hand or by the right hand, and what things and persons are to be avoided! These are not healthy signs of a people or a nation. A homogeneous nation of one mind and community of interests cannot grow in this environment. The Gupta era was the epoch of the domination of the sacerdotal class. Future India had to atone for it.

What a contrast is seen when we compare it with the era of Asoka! Now-a-days, it has also become the fashion with the Hindu writers to minimise the role of the Buddhist rule in

12 Jayaswal says, that the bitter criticism of Vishnu-Purana --"Fie on Empires, on the Empire of the Emperor Raghava" is directed against Samudragupta who tried to revive the tradition of Rama. He says, "He killed the free spirit of his country ... the seed-pot was made extinct. And the Hindu sank. The life-giving element was gone ... when Alberuni came to India he was told that the Guptas were a wicked people." *Ibid*—'History of India,' c 150 A. D. to 350 A. D. pp. 210-211.

13 If the Guptas be really descended from the untouchable Karaskar caste, as mentioned in "Kaumudini-Mahatsab" or of non-*divija* origin, then how they could intermarry with the Brahmins! The rule of Brahmanical *varnasram* polity is broken here. This along with similar illustrations of intermarriages prove that the story of the division of the Hindu society has become a part of mythology.<sup>4</sup>

India, but the sectarian propagandists do not evaluate how much India is indebted to this rule.<sup>14</sup>

That even after the sledge hammer of the priest-craft forged during the Gupta epoch, to maintain its ascendancy the lower classes once more came to power in Northern India as is seen by the rise of the Vaishyas during the Vardhana age. We have already seen that during this period the Vaishyas made their importance felt in the Trade-guilds, and in Harshavardhana we find the rise of an emperor of the Vaishya class in North India. The Arya-Manjusri-mulakalpa says, "There were at the time two very prosperous rich men from Madhyadesa, descended from (King) Vishnu. Both became chief ministers ... after which they became rulers of men and (one) became king (614-616)."<sup>15</sup> Thus prosperous men of the Vaishya class became the founders of the imperial "Vardhana" family of Thaneswar. At this time, there was a Brahmanical reaction from West Bengal headed by Sasanka. He was not named in the aforesaid Buddhist history as he persecuted the followers of Buddha. It narrates thus, "Then, Soma (Sasanka) an unparalleled hero will become king up to the banks of the Ganges up to Benares and beyond. He of wicked intellect, will destroy the beautiful image of the Buddha ... Then that angry and greedy evil doer, of false notions and bad opinion, will fell down all the monasteries, gardens, and chaityas and rest houses of the Jainas (*Nirgranthas*)" (715-718).<sup>16</sup> The caste of this Soma (Sasanka) is given as Brahman. After these atrocities, the powerful Harshavardhana marched against Sasanka. "The powerful Vaishya king with a large army marched against the Eastern country, against ... that

14 *Vide*—Havel and H. P. Sastri ; also H. von Glasenapp : "Buddhas Stellung zur Kultur." XXI, Jahrbuch d. Schopenhauer Gesellschaft (1834), pp. 117-127.

15 Jayaswal, *op. cit.*, p. 28.

16 K. P. Jayaswal, *op. cit.* p. 50, 50-75.

characterless man ... He defeated Soma, the pursuer of wicked deeds ... Harshavardhana returned, having been honoured in that kingdom of the barbarian (*mlechcha*)" (712-719).<sup>17</sup>

Thus the Brahmanical reaction leading to the atrocities committed on the Buddhists and the Jainas, was put down by the Vaishya monarch. Here, an important thing to be noticed is that the Brahman Sasanka has been denounced by the Buddhist writer as a *mlechha* ! This signifies that no racial meaning is attached to it. It is a religio-cultural expression used by one sect against the other. Then, the historian giving an account of Sasanka says that "Soma the Brahman (king) obtained high prosperity. He gave largess to Brahmins ... He died of a disease in his mouth, having been eaten by worms and went down (to hell). His capital was then destroyed by divine agency (735)."<sup>18</sup> From this evidence it is clear that Sasanka was the head of Brahmanical reaction. And all these took place in the seventh century A. D. Here we see the Buddhist historian has not spared the Brahman persecutor. His wrath pursued him even to hell. The class-antagonism embodied in religious conflicts is to be discerned in the pages of this Buddhist history. Finally, the text says, "There will be a monk, formerly a *vanik* (merchant) and another, formerly a *vaidya* (physician) who will think of the interest of the poor" (950).<sup>19</sup>

In this review we have seen that the relation of the *varnas* to each other, had not been one of constant collaboration, there had been feuds, establishment of political power by different classes and revolt from the orthodox polity leading to the foundation of separate sects. Later, during the period of Muhammedan rule, when the Buddhist, the Nath and other such-like sects were bereft of state or any sort of political help, the Brahmins with the help of the Brahmanist kings, feudatory princes and landlords, either readmitted the dissenting

sects by the backdoors of reformed religions or made the recalcitrants and stubborn adherents of Buddhism and Nathism as "untouchables."<sup>20</sup> On the other hand, there had been a mass-flight of the Rajputs, Jats, Gujars, Meds and different orders of Sudras to the Islamic camp. We have already hinted that the countries which always have been despised by the Brahmans are to-day predominantly Muhammedan.<sup>21</sup>

It will seem strange to some that why religious conflict should be named as class-struggle. But in analysing the fundamental issues of religious conflict it is to be found that in ancient and mediaeval ages such a conflict had a class character, only it expressed itself in religious form. Because, it used to be thought in those days that the change of the form of religion would change the social-polity automatically. Hence the desired social change used to be wrought through religion and naturally the struggle for this change used to take place in the religious plane. Thus Doellinger says, "Every heretical doctrine which arose in the Middle Ages had explicitly or implicitly a revolutionary character; that is, in the measure it attained to a commanding position, it threatened to dissolve the existing political order and to effect a political and social

20 *Vide*—H. P. Sastri, *S. P. Patrika*, pt. 35.

21 "Chach Nama" says the "Mohunts" (presumably Buddhist abbots) helped the Arab invasion of Sindh in various ways. The Jats and the Meds of Multan welcomed the Arab General Bin Kasem with flags and music as they said they were oppressed by the Hindu Raja (*Vide*—Lanepoole: "Mediaeval India"). The *Sunya-Purana* of the "Dharma cult" of Bengal narrates, that Dharma in the shape of the *javanas* attacked the Brahmans and broke their temples (*vide*—D.C. Sen "History of Bengalee Literature"). The Sammas, another aggrieved caste of Rajput origin as well as the Somra Rajputs, a portion of the Ahirs went over to the Muhammedan side. The whole of Afghanistan, Baluchistan, Sindh and the majority of the population of the Panjab and Bengal became Muhammedans. These are the countries which have been always denounced by the Brahmans as not the fit place for their living (*Mahabharata*, *Karna Parva*) or should be avoided (*Baudhayana*, I, i, 14).



transformation."<sup>22</sup> Again, dealing with the same problem, Max Beer says, "In the Middle Ages the Antagonism and the Struggle were fought out in the religious moral arena: between good and evil."<sup>23</sup> Further, explaining the psychology behind the phenomenon, the same author says, "Experience teaches that profound economic motor forces which exert a revolutionary effect at the basis of society, can only set the masses in motion and produce the corresponding psychology, when they are expressed in terms of the prevailing ideology."<sup>24</sup> The explanation of the phenomenon is still more explicitly explained by Frederik Engels<sup>25</sup> who said, "The Middle Ages had attached to theology all other forms of ideology—philosophy, politics, jurisprudence—and made them sub-divisions of theology. It thereby constrained every social and political movement to take on a theological form. To the masses whose minds were fed with religion to the exclusion of all else, it was necessary to put forward their own interests in a religious guise in order to produce a great agitation."

If this has been the case in the Middle Ages of Europe, it has not been different in the mediaeval period of Indian history. The ancient Brahmanical writers put forth the superior claims of the priesthood in medical books even! In *Susruta-Samhita* it is said, "Brahma has explained the eight-fold (*ashtanga*) *ayurveda* of Atharva-Vedanga, priest (*purohita*) is the knower of Atharva; hence the efficient physician should work according to the direction of the priest (13.7.156). Even it makes a *varna*-discrimination in the matter of taking a student for the study of medicine as it advocates the initiation of the disciples taken from the upper *varnas* (2.2.11). But it also admits, "Some say that a

22 Doellinger: "Contributions to the History of the Sects," Vol. II, p. 138.

23 Max Beer: "Social Struggles and Socialist Forerunners," p. 146.

24 *Ibid.*, "Social Struggles in the Middle Ages," p. 92.

25 F. Engels: "Ludwig Feuerbach" p. 69.

Sudra of good family and character may be initiated by making him devoid of *mantra*" (2.3.12). Again, Charaka-Samhita while speaking of the birth of a child says, "the wife of a Sudra, should do reverence to the Brahman *guru*, ascetic and *siddhas*" (ascetics who have achieved perfection of magic or enlightenment) (Sharirasthanam, ch. 8). Then, after the birth, the Brahmans wellversed in Atharva-veda should bless the mother and the child by performing ceremony of *shanti-homas* (*Ibid.*). In the same book the cause of an epidemic disease is traced thus : when the King or his representative or a villager transgresses religion, their proteges abet it automatically, thereby religion disappears. With the disappearance of religion, and in regards to the gods-forsaken persons the seasons become corrupt which leading to the corruption of water and food devastes a locality (*vimana-sthanam*, ch. 3). Even in the book of Chakrapani written in circa tenth century A D. while speaking about the preparation of carbon (*khara*) it says, one should gather woods in an auspicious star by reciting *mantras* of blessing (*mangalacharanam*).<sup>26</sup> Thus we find that like the streaks of a red herring, the claims of sacerdotal privileges are pushed on everywhere. The Science of Hindu Medicine even has been subjected to priestly influence, even when this science was chiefly cultivated by the Buddhists and the authors quoted above were either Buddhists or stood more or less under Buddhist influence ! Thus, the Indian masses of ancient and mediaeval days who were fed with the spoons of sacerdotal superiority in every turn of their lives, had no other option but to fight in the guise of religious ideologies and escape from it by originating socio-religious movements.

Thus, it would be found that the heresies everywhere in former days were the outward expression of the social struggle.

Regarding the nature of this struggle F. Engels quoting Karl Marx said, "It was Marx himself who had first discovered the complete law of motion of history, the law according to which all historic struggles, whether proceeding on the political, religious, philosophical or any other ideological ground, are in fact only the more or less distinct expression of the struggles between social classes."<sup>27</sup> In ancient India, heresies were fundamentally social struggles. These were first fought out in terms of the prevalent religious ideologies of the day, the fight at first took place in the religious-moral arena. Then the attempt was made to effect a social transformation through political change. All these stages of the fight we have seen to have taken place in Indian history. With the Brahmanical counter-revolution, this attempt at social transformation was put to an end. And with the coming of the Brahman class to political power, the polity of the Manava-Dharma Shashtra became the ideal. Though there is no proof that it ever became the code of the Sungas or any other Brahmanical state,<sup>28</sup> yet till to-day it is being held up as the highest authoritative code of Brahmanism. The later Brahmanical Codes are more or less modifications of the same to suit the exigencies of the time. As a result the notions and rules embodied in the Manava Code have been ingrained in the minds of the Hindus by successive Brahman monarchs as of divine origin, and it is the bounden duty of every Brahmanist who now-a-days calls himself a "Hindu" to obey it without question. Thus, the Brahmanical polity has been hammered into the body-politic of the Hindu Society, and woe be to him who dares infringe it. Persecution and ostracism from society will be the result of non-compliance

27 K. Marx: "Der Achtzehnte Brumaire des Louis Bonaparte," Engel's preface to the 2nd edition.

28 Mr. Jayaswal only surmises, but has not given any proof.

with the rules of the divine code. Jayaswal says, "The Psychology of the Hindu nation of the Brahman Empire is pictured in the Manava-Dharma Shashtra."<sup>29</sup> Hence, it can be said that the Manava Code has been the code of the Brahman imperialists. In short, it is the ideal of Brahmanical Imperialism. And this imperialistic ideal blessed by sacerdotalism has made it divine. The very last word of this code is : "This Manava Shashtra which is said by Vrigu if it be read by a *dwija*, then he will attain the best course (heaven)" (12 126).

This ideal is still working to-day. Coupled with it, the Hindu dogmas of *karma* and reincarnation (*punarjanma*) have stifled all opposition and antagonism. The last two dogmas being common to all sorts of sects arising from the womb of the Hindu society, have reconciled the Hindus irrespective of creed with their mundane fate. All the goodness of a Hindu, all his sufferings, are due to his actions of the previous birth. A Hindu lives in the midst of a cobweb of *karma* spun by himself. He is the creation of his own actions, hence any socio-political change cannot affect his destiny. As such he must be contented with his fate, and if he aspires for better, then he must spin out necessary *karmas* to attain that state hereafter when his new *karma* begins to act.

This being the state of a Hindu's mind, he is not dissatisfied with his *varna* or with the caste of to-day. Every Hindu thinks that his *karma* has sent him to be born in a particular caste, and he is not ashamed of it. It is his duty to follow the rules of his caste, as the Geeta says, "The works (*karmas*) of the Brahman, Kshatriya, Vaishya and Sudra are divided by the qualities (*gunas*) engendered by the habits of former birth" (18.41). Then followed the lists of the works of the four *varnas* (18.42-44) Then the Geeta says, "Man, staunch in his own work, attains *siddhi*. Hear how man engaged in his own works

29 K. P. Jayaswal : "Manu and Jajnavalkya," p. xxi.

attains beatitude. From whom men get their desires, and who is surrounding this universe, by worshipping him men attain their *siddhi*. One's own religion inspite of having faults is superior to other religions though it be perfectly instituted. Men do not get sin by following work natural to him" (1.45-47).

Thus the doctrines advanced by the Brahmanical ruling class served well to make the Hindus subservient to the rules of Brahmanical Imperialism.<sup>30</sup> We see the phenomenon that the social attitudes of the Hindu castes is to put up with each other. The different castes have become domesticated with each other; each respects the prejudices of the other. Every orthodox Hindu accepts the hierarchical system of the Brahmanical polity, and he is not ashamed of his place within its fold. He is not responsible for it—his previous *karma* has made him take birth in a particular *varna* or present-day caste. He is proud of his caste, however low it be in the scale of the hierarchy. It is the duty of his life to follow the rules of his caste. His salvation lies in this *karma*.

Hence, the psychology of the Hindu is to be contented with his birth and position of life. This situation is somewhat analogous to the situation of the different "estates" of Europe of the Middle Ages. The social hierarchy is God-ordained, and it is a sacrilege to grumble against it.<sup>31</sup> Thus

30 Jayaswal says, "The last chapter of Manu bears a striking resemblance to the doctrines of the Gita in several places. The Bhavishya Purana which describes Pushyamitra as the saviour of Hindu Society and Dharma (Pratisarga, p. XXIII-18-40) and as subjugating Kali, makes him also a special student of Gita ... It is very likely that the Gita was not only a favourite of Pushyamitra but a work of his period. This doctrinal affinity between Manu and Gita is easily explicable,"—"Manu and Jajna-  
valkya," p. 52.

31 That even the Pariah has accepted his position is illustrated by the fact as said by S. C. Roy, "If the South Indian Brahman believes himself to be possessed of superior spiritual power ... and ordinarily avoids the touch of the unclean Pulayan, Paraiyan Madiya, and Holiya, as polluting, the latter in their turn avoid contact with the Brahman for fear of possible mishap through the harmful "*mana*" of

when the Manava Code and all the Smritis that followed it later on, attempted a collaboration of the different *varnas* on the basis of the above mentioned doctrines, the real fact is that the domination of the Brahman *varna* in society has been in force since the rise of the Sunga dynasty. Only from time to time the rise of the heretics to political power has checkmated this influence. But at the time of the Muhammedan invasion the Brahmanists were in political and social ascendancy, and after the Muhammedans settling down as the ruling class, we did not hear of the Buddhist and other old heretical sects any further. Rather, on one side, the dissatisfied masses went over to Islam, and on the other, reform movements sprung up as protests against the Brahmanical polity. These movements spread amongst masses. According to the analysis discussed above these were again, the expressions of social struggles, which were directed this time against the Hindu and Moslem vested interests of the dominant classes. But the doctrine of Brahmanism has gone deep in the mind of the Hindu. As a result, we find the Brahmanical sacerdotalism recapturing the reformed sects within its octopus grip. To-day many of these reformed sects have again fallen in the hands of Brahman priests. They have succumbed to their orthodox environment.

To-day, in the absence of a strong counter movement, those who were in the lower grades of the Hindu society or were outside its pale, are seeking upliftment or admission by accepting the rules of the Brahmanical hierarchy. As the upper castes of to-day follow the Brahmanical rules, hence they think it is proper and decent to follow them. Therefore, any "depressed" caste that wants an upliftment in its social grade follows the tenets of orthodoxy. Thus, in order to be a decent (clean) caste,

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the Brahman." *Vide*—"Man in India," Vol. XIV. No. 2, p. 135. See also Dubois "Hindu Manners and Customs (3rd Ed.) p. 51. Hemingway "Gazetter of the Tanjore District p. 80.



it follows the orthodox rules. That means, the caste has got to accept the Brahmanical *achara* in its everyday life.

In present-day India, the phenomenon that is happening before our eyes is that those castes which did not have any Brahmins as their priests are now accepting Brahmin priests and taking their *gotras* and *pravaras* and all the ceremonies connected with Brahmin orthodoxy. Those of the so-called aboriginals who want to become "Hindus," are giving up their totems (but retaining the taboos) and putting up the Hindu gods instead. At first they enter the Hindu society by the back door *i.e.*, through some reformed religion. Then, in course of time they constitute themselves into caste, according to their economic condition. And when they have formed themselves into a caste, then, by paying the Brahmins heavily they can discover some decent pedigree of their caste from the mythical *varnas* and ancestry for their chiefs from the mythologies! This is the evolution that is going on to-day.

## CHAPTER XI

### Who Are The Sudras ?

We have already said that the Sudras are mentioned as the 'fourth *varna* in the Vedic State. The Sudra is mentioned in the Purusha Sukta of the Rig-Veda (X 90-12). Otherwise he is unknown in the same text. Many Indologists opine that this *sukta* is an interpolation, made in later days, when the Sudra, at the bottom of the social hierarchy was a reality.<sup>1</sup> In examining the text we find that the Sudra had the same origin as the other *varnas*, *i.e.* he originated from a part of the body of the creator. He and earth were created together. The text gives an imaginary version of the creation in which men are divided according to the functions they perform in society. The historian Vincent A. Smith thus says, "The general drift of the whole passage is plain enough. The verses give a highly figurative, imaginative theory of creation. Both the Brahman and fire come from Purusha's mouth, just as the servile man or Sudra and earth both proceed from his feet. No suggestion of the existence of caste group is made. Mankind is simply and roughly classified under four heads according to occupation, the more honourable professions being naturally assigned the more honourable symbolical origin. It is absurd to treat the symbolical language of the poem as a narrative of supposed facts".<sup>2</sup> Here we must remember that the traditions of the Persians and other ancient oriental peoples as well as the ancient North European Sagas, speak of the four-fold divisions of the society.

1 *Vide*—references in Vedic Index, vol. II, pp. 247-248.

2 V. A. Smith : "Ancient and Hindu India," p. 35.

The abovementioned *Sukta* of the Rig-Veda says "His mouth became priest ... from his feet sprang the servile man (Sudra) ... fire rose from his mouth ... the earth from his feet." (X 90-11-13).<sup>3</sup> Here it is clear that the passages speak figuratively; the Brahman is conneted with fire, the Vedic *mantras* uttered by the priests are regarded as fiery. The force of incantations and magic resorted to by the Brahman priests are regarded as analogous to the force of fire. It may be, that the force of "*mana*" that is said to be possessed by the sacerdotal class is considered to be similar with fire.<sup>4</sup> The sacerdotal class claims to possess the *Brahmanya Teja* or *Brahmanya Sakti* (force of Brahman)-superior spiritual powers, hence he is compared with fire, and from his mouth spouts out fire! Similarly, the servile man sprang from the feet; also the earth originated from the same source. When both are said to have the same origin, it can be surmised that the servile man is regarded as the cultivator of the soil. But the very nature of the *sukta* shows that it must have been put into the Rig Veda at a later period when a servile class has originated in the society. It also occurs in the Jajurveda, and in the subsequent Vedic literature.

The descriptions of the Sudra given in the latter Vedic literature, gave rise to the surmise that the Sudra is the conquered aboriginal who has been reduced to helotry. Hence he is the Serf of India, the descendant of the "Dasyu" and the "Dasa" of the Rigveda. The occidental Indologists perhaps drew this conclusion by making analogies with the Helots of Greece, the aboriginal races of Africa and America. It is true that in ancient times the serfs and the slaves were recruited from the conquered races, and consequently these used to hold

3 Colebrook's translation in "Miscellaneous Essays." Vol. i, p. 184.

4 The Parayans of South India consider the Brahman to be "something like fire," *vide*—"Man in India," vol. 14, No. 2.

the lowest position in the society. But in our previous comparative studies of the conditions of the classical countries and of Europe of the Middle Ages we have seen, that the lowest stratum of the society of those places has not always been formed by the conquered races. The race question cannot be applied in Indian history as well. In our anthropological analysis of the different present-day castes of India we have also seen that the castes contain different racial elements. Similar biotypes are to be found amongst all the castes. Also we have seen that it cannot be proved that the *dasyu* and the *dasa* were of "aboriginal" races.

It is said that the Sudra is black and the Arya white, and it is said that the Vedic literature refers to the fight between the races of different colours. The Sudra is said to be continually opposed to the Arya (AV., iv, 20, p. 4 ; Vajasaneyi Samhita, xiv, 30 ; etc.). The Aiteriya Brahmana (vii, 29, 4) declares the Sudra is *anyasya presya*, i.e., the servant of another ; *Kamothhapyā*, i.e., to be expelled at will ; *Yathakamovadhya*, i.e., 'to be slain at will.' Keith and Macdonell say, "All these terms well enough describe the position of the serf as the result of a conquest".<sup>5</sup> But if the Sudra has been the serf of Vedic age, then the passages quoted above might have referred to the class-struggle rather than to the race-struggle. In this book we have traced a long drawn class-struggle between the classes. It is difficult to see how the passages oft quoted can prove a race-struggle in the Vedic period when the anthropological investigations prove that there had been diverse races living in the Panjab even in pre-Vedic time and when the present-day Panjab population is said to be a conglomerate of different races as well. The investigators of the Harappa skulls unearthed from a supposed pre-Vedic stratum, have found out the Alpine (Armenoid) types amongst them. Again, Dixon speaks of the presence of

Mediterranean racial elements in the Panjab.<sup>6</sup> Are these said to be the progenitors of the Vedic Sudras? But these races are known as Whites. Hence, it is not possible to accept the theory that the struggle between the Sudra and the Arya was a struggle between two particular races of different colours.

Now the question comes, what have been the racial characteristics of the Sudras? If he be regarded as *anasa* (noseless), *krishna* (black), then let us find out the type amongst the present castes known as Sudras. Are we to understand by it the so-called Dravidian<sup>7</sup> or the so called pre-Dravidian of the anthropologists? Our analysis of the present-day Panjab castes shows that the Khatri, the Jat-Sikhs of Risley, and the Churas have a slight amount of "dolichoid-chamoerrhine" element in them, while the "Brachycephal-chamerrhine" element is conspicuous by its absence. Are we to take the abovementioned element as representing the Vedic Sudra? In that case, the Khatri, the leading caste of the present-day Panjab which claims to be the descendants of the ancient Kshatriya has got this characteristic in the same proportion as the untouchable Chura, and the *sat-sudra* Jat shows it in the least proportion! Again, this element is conspicuous by its absence amongst the Jat-Sikhs measured by Eickstedt. Lately Dr. Guha in his report on the anthropometric measurement taken for the Indian Census of 1931 says, "The results of the statistical list fully corroborate the conclusion already reached by Eickstedt regarding the racial homogeneity of the people of the Panjab, irrespective of caste or creed."<sup>8</sup> In conclusion he says. "A short-statured long-headed element orthognathous face with medium lips. The nose is prominent, but the alae

6 R. B. Dixon: "The Racial History of Man," p. 261.

7 The Dravidian race is nowadays regarded as belonging to the "Mediterranean race." *vide*—Eickstedt and the Census Report of the Government of India, 1931.

8 B. C. Guha: "Census of India, 1931. vol. I, p. III, Ethnographical," pp. xxi-xxiii.

moderately spread out giving a mesorrhine index ... It is found in the purest form among the Telugu Brahmans ... this type forms the predominant element in the greater part of the lower stratum of population of Northern India, including to some extent the Panjab, where among the Chura and Chamar H. Charles noticed the presence.”<sup>9</sup> Is this the type that we have found out by analysing Risley’s data as having “dolichoid-mesorrhine characteristics ? But as seen in the analysis previously given, this element exists in all the castes of Northern India, whereas Guha’s type is predominant in the greater part of the lower stratum of the population. Hence both the analyses are at variance. If Guha’s type is said to be the original Sudra, then the proud Telugu Brahman must have evolved out of the Sudra. But the Census Report of 1931 calls the Telugu people as—“perhaps the purest Mediterranean stock in India.” By this, it is to be surmised that both the Brahmans and the Sudras amongst the Telugus (Andhra) who are a Dravidian-speaking people, belong to the Mediterranean race. Since it is not possible to identify our Sudra of the Vedas with these Sudras, the other alternative, left is to seek the Sudra amongst the “Dolichoid-Chamoerrhine” element of India. In our analysis of Risley’s data, we have seen that such an element does exist in the Panjab both amongst the higher and lower castes. But Guha in the Census Report of 1931 again speaks of a type thus “A short long and moderately high-headed strain ... and flat nose with alae extended. This type prominent among aboriginal tribes of Central and Southern India ... but entered considerably in the lower stratum of the Indian population.”<sup>10</sup> Is this the type that we are seeking for ? But here we beg to differ with the reporter of the Census Ethnography. In our enquiry, we have found out a longheaded

9 B. C. Guha : “Census of India, 1931. vol. I, p. III, Ethnographical,” pp. xxii-xxiii.

10 B. C. Guha, *op. cit.*, pp. xl-xlii ; lvii.

and Chamoerrhine-nosed element existing amongst most of the castes of Northern India. This racial element cannot be segregated from any of the castes. Thus, we are getting clearer that the Indian caste system is not identified with racial division, *i.e.*, each caste is not identified with a particular biotype. Further, by applying the formula of "Racial Likeness" Dr. Guha finds out that "The Brahmans and Kayasthas (of Bengal) are intimately related."<sup>11</sup> Here the Brahman and a Sat-Sudra caste are shown to be intimately connected. Again, he says "The Pods (of Bengal) however show much wider relationship being connected with the Oriya, Malve Brahmans, the Rajputs, the Audich Chitpavan, and Desastha Brahman, the Mahratta, the Illuva and Kannada and Telugu Brahman."<sup>12</sup> Here he finds the Pods, a so-called untouchable caste of Bengal, to be similar not only with the proudest Brahmans but also with the Rajputs and the Mahrattas both of whom claim to be the descendants of the ancient Kshatriyas.

Taking these anthropometrical enquiries in mind we shall be careful to describe the Vedic Sudra or to say that the Indian *varna* system or the modern caste system is based on differences of colours or of races. Thus it is not possible to fix the anthropological position of the Vedic Sudra. If, on the strength of the allegory of the Purusha-sukta, we are to accept that the servile man is of a different race from the other *varnas*, the same analogy holds good in the case of the Nordic Saga<sup>13</sup> (Rigsthule) which divides the North European or the Teutonic race into three social groups which were different in colour and formation of the body.<sup>14</sup> But no body has yet suggested that these three groups were of different races. If in this Saga the human race, high and low are called as Heimdall's children,

11, 12 B. C. Guha, *op. cit.*, pp. xl-xlii ; lvii.

13 J. C. Bluntschli : "Allgemeine Staatslehre." pp. 129-130.

14 J. A. Macculloch : "The Mythology of all Races," vol. ii, pp. 10, 153.

or as in Rigsthule, the Rig is called as the common ancestor of the Jarls, Yeomen and the Thralls<sup>15</sup> then why the idea of the unity of race should not be accepted in the case of the allegory of Purusha-Sukta where the great Purusha (God) is said to have created all the *varnas* ? The Hindus have always called the description of the social division into "colour" to be allegory. Also, in the sacred books, we see that the unity of origin of the castes of all colours have been advocated. Rather, the Atri Samhita (390) says, "That *vipra* (Brahman) who sells shellac, salt, saffron, milk, clarified butter, honey or meat is called a Sudra." Again, in Mahabharata (Santi parva, Mokshadharma, Ch. 184) the Rishi Vrigu says that certain Brahmans by losing character and by following all professions &c. have become "Sudras."

The Sudra is nowhere spoken as "non-aryan" in the European sense or "Anarya" in the sense of Sanskrit literature. If the struggle between the Arya and the Sudra is recorded in the Vedas, at the same time, the white Yajur-Veda while giving another version of the Purusha-Sukta, prays "you destroy the sin that I have committed against the Sudra and the Vaishya (20.17)." Again, the same Veda says "This blessed word of the Veda which I have proclaimed to the public,—to the Brahman, to the Kshatriya, to the Sudra, and to the Vaishya (Arya), to the relative and to the non-relative, may make me a favourite of the gods, the reward givers" (26.2). In the first passage, the Brahman is praying for the sin committed against the Sudra, and in the second one, the Sudra is made to hear the *mantras* of the Vedas which have been denied to him in the Smritis of the latter ages. Again, in certain Vedic passages the Sudra is given a place in the *soma* sacrifice (Satapatha Brahmana v. 549). Further in the latter part of the Vedic Literature we



hear of rich Sudras, Sudra ministers to the kings, even Sudra kings.<sup>16</sup> Sin against Sudra is mentioned, prayer on behalf of the Sudra for his glory is mentioned. Again, the Atharva Veda mentions that the Sudra used magic just as an Arya did (Av., V. 1.3.). That is, the Atharva Veda acknowledges that the Sudra has got the same *mana* power as the Arya. Further, the desire to be dear to the Sudra is also expressed (Av., XIX 32,8,62,1, Vajasaneyi Samhita, XXVI.2). All these do not show the relation between the master and the servant, the lord and serf. Again, in the Puranas we hear that the Rishi Saunaka's four sons became Brahmans, Kshatriyas, Vaishyas and Sudras (Vayu, ch. 30.). And this *rishi* again was descended from the Vedic *rishi* Gritsamada who was of Kshatriya lineage. Further we hear that the Kshatriya King Vargabhumī introduced the four Varnas, *i.e.*, men of four Varnas were his offsprings (Vishnu, 4. 8). Thus we hear from the Puranas that all the varnas had common origin.

We have already alluded to the struggle between the classes even in the Vedic period, and we have already seen that the sacerdotal class gradually became audacious in claiming higher status and more privileges. In trend of this audacious claims, we read in the Taittiriya Brahman the saying that "the Brahman Varna is god, the Sudra is Asura" (1.26). This does not give the impression that the Sudras are inferiors to the *dwijas*, rather it shows that the Sudras and the Brahmans are *enemies*, hence the former are not of inferior status. When mythological *devas* (gods) and the *asuras* who were always at enmity with each other have been converted into Brahmans and the Sudras, then the significance is that originally there was no inferiority between the both. Perhaps the struggle

16 The Vaishnava reformer Ramanuja's attempt to convert the Sudra king Janasruti into a *dwija* in order to keep up the prestige of the priestly class is ingenuous but not convincing. *Vide*—Sribhashya.

between the two classes was expressed in the allegory of Vedic mythology ! Later on, we find the Brahmins do not exist any longer as human beings, they are called gods "all the Brahmins are gods" (1.4.4). And we know the claim of the Brahmins till to-day is that they are "gods on earth" (*bhudeva*).

In these passages advocating the Brahmanical superiority we discern the claims of the Brahmins waxing higher and higher and *parri-passu*, the status of the Sudras and the other classes going down. Thus the class struggle between the Brahmins and the Sudras or between the Dwijas and the Sudras have been interpreted as the struggle of the races.

Thus it is clear that by taking the sense of the above passages it cannot be said that the Sudras were "non-aryans," of the European savants or that they were outside the fold of the Aryan community. Of course, the Sudras in general were a less favoured class of the Brahmanical polity. But the Sudras cannot be identified with those classes that were outside the polity. Manu says, "The Sudra is the fourth (*varna*), there is no fifth *varna*" (10.4). But we have seen that there are various classes below the Sudras. They have been called "Antyajas"—outcastes. Even in the eleventh century when Alberuni the Court historian of Mahmud of Gazni visited India, he found the *antyajas* to be after the Sudra, who are not reckoned amongst any caste, but only as members of a certain craft or profession"<sup>17</sup> and he found the Sudras to be wearing the sacred thread made of linen as well !<sup>18</sup>

From all these it is clear to us that the Indo-Aryan Society was divided into four divisions or *varnas*. It is true the Sudra is not mentioned in the earlier Veda where we find the *dasyus*, the *dasas*, the *asuras* are mentioned as the enemies of the Vedic religion. But the Sudra is nowhere described as the

<sup>17</sup> Alberuni, vol. i, p. 101.

<sup>18</sup> *Ibid.*, ch. lxiv.

enemy of the Vedic religion neither he is the *anasa*, *dasyu* of the Vedas.<sup>19</sup> He is only the less favoured member of the society. Hence any attempt to identify the above-mentioned peoples with a particular section of the Indo-Aryan Society would be a misnomer. Of course, we have heard of the *sti* and *upasti* classes in the Vedas, and the serfs, the slaves of various sorts in the latter Sanskrit Literature and 'Dasa' is the general term used for a servile man. But 'Dasa' is said as *Vis* in Rigveda (6.25.2). According to this saying he gets Vaishya rank. Hence, to identify the serfs and the slaves of various sorts with the Sudra class in one lump would not be correct.

The origin of the word is unknown. The Sudra is called as the child of *tapas* (sorrow). The latter-day ingenuous derivation of Badarayana that the king Janasruti<sup>20</sup> when exclaimed at first as a 'Sudra' was refused by the Brahmins to be instructed in Brahmanvidya, grieved, and from the grief ( *sochana* ) the word "Sudra" took its rise ( Vedanta Sutra, I,3.34 ) is without any sense. The European Indologists think that the word is probably derived from the name of the tribe *sudroi* mentioned by Ptolemy. They think "that the term was originally the name of a large tribe opposed to the Aryan invasion."<sup>21</sup> But these writers forget that at the time of Alexander's invasion, the Sudra *varna* had been in existence all over India and the King Nanda, the powerful king of Magadha was himself called a Sudra. Hence, will it be possible to trace the name of the social class living all over India from a small tribe living in the Indus valley ?

The Greek writers mentioned the *malloi* and the *oxydrakai*.<sup>22</sup>

19 Manu calls all the degraded men of the four *varnas* as *dasyu* (10.45).

20 The same Janasruti has been called as Kshatriya by Sankaracharya in his *Sarrikbhasya* and Ramanuja in his *Sribhasya*. But Chandogya Upanisad contains the exclamation uttered by the *rihi* Raikya—"oh Sudra" !

21 Vedic Index, Vol. I.

22 McCrindle's : "Arrian Anabasis," ch. IV, Note p. 35.

The latter is supposed by some orientalisists to have been the "Sudroi" of Ptolemy. The name in Greek has got different variants: Oxydrakai, Hydrakai, Sydrakai, Syrakusai, Sabograe etc. The name according to Lassen seems to be the same as Sanskrit Kshudraka. McCrindle also identifies the name as Kshudraka which he says in the Mahabharata is combined with the Malava Malloi.<sup>23</sup> In the Mahabharata the name "*kshudraka*" or "Xudraka" is mentioned (*vide*—description of Rajasujajna). From this name the term Sudra is being sought to be derived. Again, McCrindle, the translator of Arrian's 'Anabasis' notes that "After leaving the great confluence the first tribe Alexander reached were the Sogdoi who appear as the Sodroi in Diodoros... The Sogdoi have been identified with the Sohada Rajputs!"<sup>24</sup> Here, it seems, a mistake is committed somewhere. It seems the Sanskrit name of an Indian tribe has got different versions in Greek. Then the identification seems to be *erroneous*.

The *oxydrakai* and the *Sudroi* have been held to be the same as the Sogdoi.<sup>25</sup> If the Sudroi be identified with the Sudras of the Hindu society, then the same tribe in its *Sogdoi* form has been identified as Kshatriya (Rajput). The same tribe cannot belong to two different castes. Hence it seems there is some error in identification. But the Indian savant R. G. Bhandarkar identified the Oxydrakai and the *Malloi* with Sanskrit Kshudraka and Malava.<sup>26</sup>

To us it seems doubtful whether from the name of some post-Vedic tribe, the biggest section of the Hindu community has received its name which existed from the time of the Vedas. Of course there is an analogy in the case of the name

23 McCrindle, strabo : bk. IV, pp. 109-110 ; 'Arrian's Anabasis,' *op. cit.*

24 *Ibid.*, p. 354.

25 McCrindle : Arrian's Anabasis, ch. IV, pp. 351-359.

26 Cited by J. C. Narangin his "Bharatiya Itihasaki Ruparekha, vol. 2, p. 540. (in Hindi).

of the East-European ( Slavs, *i.e.*, slaves-sclava ) who received their race-name from the men who were captured as slaves by the west-European peoples. But there is no proof that the Oxydrakai of the Greek writers belonged to a non-Aryan race or were a tribe not included in the Indo-Aryan polity. The Kshudraka or Xudraka tribe has been called as "good caste" and "Kshatriya" in the Mahabharata (Sabhaparva, ch. 51). Hence the derivation of the word "Sudra from the *kshudraka* remains unproved.

A new derivation has been advanced by Pandit Vidhusekhar Bhattacharya Sastri who says, 'It seems to me that the word is not a pure Sanskrit one, and is derived from Sanskrit Kshudra (small) ... Now the interchange of the three sibilants, .....in Vedic language, even at the time of the Samhitas is found not unfrequently .. Thus we have no difficulty in accounting for 's' in Sudra from Ksudra.'<sup>27</sup> This explanation needs acceptance by the phoneticians and the philologists before it can be universally accepted, as there are phonetic difficulties in accepting this derivation.

Further, it seems the Sudra class is the melting-pot of all these men and orders who were degraded from their original social status. The Vedic Index says, "it is also probable that the Sudras came to include men of Aryan race and that the Vedic period saw the degradation of Aryans to a lower social status. This seems at any rate, to have been the case with the Rathakaras. In the Taittiriya Brahmana ( i., 1.4.8 ) the Rathakara is placed as a special class along with the Brahmans, Rajanyas and Vaishyas ... There is another evidence (Katyayana Srauta Sutra, i., 1.9, with the scholiast, IV, 7.7 ; 9.5 ) that the Rathakars were regarded as Sudras. But in the Atharva Veda (AV., IV, 5.6.) the Rathakaras and the Karmakaras appear in

<sup>27</sup> Vidhusekhar Bhattacharya : 'Sudra' in "*The Indian Antiquary*," vol. ix, 1922.

a position in connection with the selection of the King ; these two classes are also referred to in an honourable way in the V.S. (XXX, 6.7.), in Satapata Brahmana (XIII, 4.2,1-7). "We must recognise that the Rathakaras, in early Vedic times esteemed for their skill, later became degraded because of the growth of the feeling that the manual labour was not dignified... Similarly, the Karmakara, the Taksan, the Carmanna or 'tanner', the weaver and others, quite dignified occupations in the Rigveda, are reckoned as Sudras in the Pali texts (Fick, 160, 210)."<sup>28</sup> In these passages it is clear that in the early tribal days, some of the classes that enjoyed a better status, became degraded as the tribes were advancing towards feudal stage of development. In the feudal society everywhere in the world manual labour is regarded as not dignified ; hence all professions connected with manual labour become degraded in the society. For this reason, some of the professional classes that enjoyed respectable status in the Vedic period were degraded as Sudras *i.e.*, servile class in the post-Vedic age.

Again, the Angiras *smṛiti* says "(By taking) a Vaishya's food, one becomes a Sudra" (56). The Sambarta *smṛiti*<sup>29</sup> says "The Brahman, who partakes of a Sudra's boiled rice continuously for a month, becomes degraded to the status of Sudra, in this life, and will be born as a dog in the next" (671).<sup>30</sup> The Vasistha *smṛiti* says, "By discarding the Vedas one becomes a Sudra and therefore one shall not renounce the Veda" (Ch. X).<sup>31</sup> Manu *smṛiti* says, "Twice-born men who, in their folly wed wives of the lowest (Sudra) caste, soon degrade their families and their children to the state of Sudras"<sup>32</sup> (3.15). Again Manu says, "But in consequence of the omission

<sup>28</sup> Vedic Index. Vol. II, p. 226.

<sup>29</sup> 30, 31, · Translation of M. N. Dutt. pp. 274, 275, 533, 775.

<sup>32</sup> Buhler's translation, pp. 77-79

of the sacred rites, and of their not consulting Brahmans, the following tribes of Kshatriyas have gradually sunk in this world to the condition of Sudras: viz., the Paundrakas, the Dravidas, the Kambojas, the Yavanas, the Sakas, the Paradas, the Pahlavas, the Chinas and the Daradas" (10.43-44). Further Manu says, "Should the tribe (family) sprung from a Brahman, by a Sudra woman produce a succession of children by the marriages of its women with other Brahmans the low tribe (family) shall be raised to the highest in the seventh generation. As the son of a Sudra may thus attain the rank of a Brahman, and as the son of a Brahman may sink to a level with Sudras, even so must it be with him, who springs from a Kshatriya, even so with him, who was born of a Vaishya" (10.64-65).<sup>33</sup>

Here we see, the post-Vedic Dharmashastras enjoin, that the men of higher classes by being degraded become Sudras. The Sudrahood is a certain status in the society in which the privileges enjoyed by the members of the higher classes are denied. Thus according to the enactments of the *smritis* a Brahman can become a Sudra. Again, Manu enjoins that by certain processes of intermarriage a Sudra can be raised to the higher class and the men of the higher classes can be degraded to Sudra class. A classical example of it can be found mentioned in an inscription of A.D. 650. In it Raja Lokenath of Tippera (in Bengal) says that his father's great-grand father was a descendant of Bharadvaja *rishi*. His mother's great-grand father and grandfather were *dwijendra* (good Brahman) and *dwijasattama* (best Brahman) and his mother's father was a *parasava* and he a *Karana* (verses 6-9). Thus a descendant of good Brahmans became a Sudra!<sup>34</sup>

<sup>33</sup> Jones's Translation pp. 349-350.

<sup>34</sup> Epigraphica Indica, vol. XV., No. 19, pp. 303-306, Tippera copperplate grant of Lokenath.

From these laws of the *smṛiti* it is clear that the Sudra is not a so-called "aboriginal" or a "non-aryan". He is as much an "Arya" as the other classes of the Hindu polity are. Further, we see that Manu has counted many of the foreign and Indian tribes as Sudras. We have seen in Patanjali that he has counted the *yavanas* (Greeks) and the Sakas as Sudras who can eat from the plates of a twice-born, *i.e.*, they are accorded the same privileges as the Sudras of the Indo-aryan society (Mahabhashya 2. 4. 10.).

Again, we have seen that before the Sunga epoch, Kautilya has acknowledged the Sudras who are "Arya by birth" (*aryapran*) and of the privilege that one can exercise as Arya (*aryabhava*). He also says, "The son of a slave shall be an Arya" and by repaying the money for which one is enslaved "A slave shall regain his Aryahood. The same rule shall apply either to born or pledged slaves" (XIII 181-82).<sup>35</sup>

In these passages it is clear that Sudrahood is a certain socio-political status. On certain defaults a man can be degraded from his class *i. e.*, the social status that he enjoys in the body-politic of the society. Again the politician Kautilya who was supposed to have held the portfolio of the prime ministership of the Maurya empire under three successive emperors<sup>36</sup> distinguished in his famous code those who are Aryas by birth and those who exercise the privilege of an Arya. This signifies that "Aryahood" is a political expression. It can be lost, it can be regained. Naturally we are led to accept that Aryahood is a political term which signified political franchise in the Indo-Aryan body-politic to enjoy certain rights and privileges. And Kautilya increased the franchise even to those who are born

35 Shama Shastri's translation, pp. 222-224

36 K. P. Jayaswal—An Imperial History of India" (Translation of "*Arya-manjusri-mulakalpa*").



as slaves and those who have regained their freedom. We know that in Manu this law has been revoked.

All the passages quoted above give the lie to the fact that the Sudra has been the slave or the serf of ancient India recruited from the conquered aboriginals. And Kautilya definitely contradicts it when he says that a born or a pledged slave, a son of a slave on regaining their freedom are also Aryas. From these we are led to infer that the Sudra is as much an "Aryan" as the other members of the Indo-Aryan polity. Formerly the disenfranchised *i. e.*, all those members of the Indo-Aryan society who lost their privileges used to be degraded to Sudrahood. But Kautilya gives "Arya" franchise to all the freemen, even to those who had been born as sons of the slaves. Thus the Sudra was the least favoured man in the Indo-Aryan state and with the growth of the strength of the sacerdotal class all those who were bereft of their privileges, went to swell the rank of the Sudra class. With the increase of the fierceness of the class-struggle, and the evolution of the feudal society the Sudra became the target of attack of the ruling classes.

In the present-day India, as it also has been in the past, the majority of the Hindus fall within the Sudra *varna* and in this division there are also various grades. Generally in the Hindu society amongst the non-*dwijas* there are *Sat-Sudras*, *Asat-Sudras* and *Antyajas*. The first are regarded as clean *i. e.*, the Brahman can take water touched by them, can eat certain food cooked in clarified butter in their house. The second are degraded, *i. e.*, the water touched by them cannot be taken by the Brahmans, and good Brahmans will not officiate as their priests in their houses; they have priests of their own, who are called "Varna-Brahmans" in Bengal. But these are also degraded from the ranks of the higher good Brahmans. Lastly comes the third class who are called as "untouchables." They,

according to their culture, live either in the outskirts of the society or are outside its pale. They are the "submerged" section of the Hindu community.

By referring to the anthropometric data of the castes called as "Sudras," it will be seen that from the dolichocephalic-leptorrhine Jats who<sup>37</sup> are called "Indo-Aryan" by Risley and "Indo-Afghan" by Deniker and others, to the Brachycephalic-leptorrhine Kayasthas<sup>38</sup> of Bengal<sup>39</sup> who according to Dr. Guha show racial likeness with the Tajiks of Central Asia, the Nagar Brahman, the Kathi and the Bania of Guzerat, to the Paniyans of South-India who according to Thurston<sup>40</sup> are dolichocephalic-Chamoerrhinians, all are ranked as Sudras. Thus it is evident that the Sudra class is a conglomerate of different racial elements. The question of 'clean' and 'unclean' castes does not hinge on race basis, as we have seen that the 'unclean' and 'Asat-Sudra' Pods<sup>41</sup> according to Guha have racial likeness with the proud Chitpavan Brahmans and the Rajputs. Similarly Chamoerrhinic characteristic does not degrade a caste to the lowest Sudrahood as we have previously seen that this characteristic is to be found with many of the upper castes.

Hence the questions of being 'clean' and 'unclean' castes do not rest on race basis but on class.

As we have seen previously that Sudrahood is a socio-political status, we are driven to the conclusion that the division of the Sudra *varna* again into 'clean' and 'unclean' is another

37 H. H. Risley—People of India ; Deniker "Les Races et les Peuples de la Terre"

38 Regarding Brachycephaly of the Bengal Kayasthas also see B. N. Datta in "Anthropos" vol. 22, 1927 and "Man in India" vol. 14, Nos. 3 and 4, 1934 ; also "The Hindusthan Review"—"Racial Elements in Caste", 1942.

39 B. C. Guha—*op. cit.* p. xl.

40 Thurston, "Madras Government Museum Bulletin," Vol. II, No. I, pp. 62-64

41 The Pods are regarded as "depressed caste" in the Government Schedule.

political wedge thrust in its midst. That means, a class according to its economic condition in life acquires a certain status within the *varna*. Higher is the profession regarded by the society, and higher is his economic condition, comparatively higher is his status within the *varna*. By following the fate of some of the classes of the Sudra *varna* we can get the idea of this development. We have already seen that the 'Rathakaras' ( Chariot-makers ) were considered as a good class in the early Vedas, but in the post-Vedic epochs the same class along with the tanners and the weavers were degraded as Sudras. In Patanjali's annotation of Panini Sutras (2.4.10) it is to be found that the carpenters are regarded as a touchable caste. They are not excluded from the plates of the *dwijas*, i.e., after their eating from the plates of the Brahmans, the same can be kept after cleansing. Formerly the carpenter could recite the hymns of the Vedas as they used to put the fire in the sacrificial pit.<sup>42</sup> But in the post-Vedic epoch they were degraded as *Asat-Sudras* from whose hands a Brahman will not drink a glass of water.<sup>43</sup> Again, Patanjali in the same place speaks of the Rajakas ( Washermen ) as a clean class who can eat in the plate of a Brahman and the same utensil can be kept after cleansing. But to-day the washermen are *Asat-Sudras* i. e., the Brahman and the higher castes will not drink water touched by them. Again, in modern India, the tanners have become untouchables. Further, Patanjali and Manu ranked the Greeks and the Scythians as clean Sudras, but we have seen that in the Padma Purana all the foreigners are counted as "untouchables"! Again Parasara, a latter-day *Smriti* text says, "A Brahman can safely partake of the boiled rice of a Dasa, Napita (barber), Gopala (Milkman), Kulamitra and Ardhasiri (peasant working conjointly

42 The Vedic sacrificial fire used to be generated by rubbing two pieces of wood. Hence it seems that a carpenter was necessary.

43 Vide Brahma Vaibarta Purana.

on his field), among Sudras as well as that of one who has resigned himself (to his care) 11. 20.”<sup>44</sup> But this is unthinkable in modern India !<sup>45</sup>

Again, we see that some of the modern castes on account of their economic prosperity are elevating themselves as ‘clean’ castes, and even belonging to higher *varnas*. Thus, since the rise of Shivaji, cultivating Sudra Mahrattas are claiming to be Kshatriyas ; the same is the case with the Jats since the eighteenth century, when they founded several States after the downfall of the Moghul power. Similar is the case of the Teli (Oilman) caste of Bengal. A high Indian Official of Warren Hastings belonging to this caste got a decision from the Bengal Brahmans that “The Bengali Teli is a trading caste deriving its name, not from ‘Tel’ (oil), but from ‘Tula’ or balance used by traders in their business ! In consequence of this ruling, the Telis of Bengal are now regarded as a clean Sudra caste, but in other parts of India they are still regarded as unclean. These Bengali Telis are changing their name to Tilis ... In the same province the Chasi-Kaivartas pretend to be identical with the Mahisya, an extinct caste of much respectibility.”<sup>46</sup> Here, it is to be noticed that the less fortunate groups hitherto connected with these castes and known as Kalus and Kaivartas are regarded as ‘unclean’ castes. Even the name ‘Kaivarta’ or ‘Keot’ which is still used by the fishing castes of Bengal and Behar is identified with a particular “depressed” (Jaliya Kaivarta)<sup>47</sup> caste at whose hands the Brahmans and the upper castes will not eat or drink.

44 M. N. Dutt, translation p. 596,

45 This passage contradicts his previous ruling in 11. 4. Such is the value of *Smṛti* legislation !

46 E.A. Gait, in “Hasting’s Encyclopædia,” Vol. 6, p. 237.

47 This caste is regarded as “depressed” caste in the Government Schedule (Statement No. xii-d. p. 499 Census 1930). They are regarded as “untouchables”. Again, the census of 1930 brackets the Kalu and Teli together in the aforesaid statement.

Further, in Bengal, one section of the Banias viz. Subarnavaniks who claims to belong to the ancient Vaishya *varna*, has been degraded as 'unclean' and 'untouchable', while the others are considered as clean castes. Again, the Banias outside Bengal are counted as Vaishyas representing the ancient third *varna*, while in Bengal all are degraded as Sudras.

All these illustrations show that *Sat* and *Asat* are terms which signify the socio-economic status that a caste enjoys in the body-politic of the society. The Hindu State or the ruling power determines the status. Thus the former ruling caste of the Jats were degraded as helots by the Brahman King Chach of Sindh<sup>48</sup> and the tradition of the Subarnavaniks of Bengal is that they were degraded by the King Vallala Sena of Bengal, and the tradition of the same province was that the Chasi Kaivartas, the Garlanders (Malakars), the Potters (Kumbhakars), the Ironsmiths (Karmakars) were made clean castes by the above-mentioned king in lieu of service done to him.<sup>49</sup>

Thus *Sat* and *Asat* are political terms denoting the amount of rights and privileges that a social group enjoys in the Hindu state. But we have seen that every Hindu State follows the Brahmanical codes and Brahmanism is their ideal. Hence, the questions of cleanliness and uncleanness are intertwined with the customs of purification and taboo. In this matter as elsewhere, the man higher up in the social grade has got higher "mana" spirit. This explains why the touch of a *dwija* is beneficial to a Sudra, and the *Vice Versa* is objectionable. Thus the prerequisite to be considered as a 'clean' caste is to conform to the rules of conduct of the Brahmanical codes. The more a caste follows the Brahmanical rules of life, the more it is considered as a 'clean' caste ; then higher economic status with certain influence is necessary to complete the elevation.

48 K. K. Quenungo "History of the Jats," p. 24.

49 Vide "Ballala-charita" by Ananda Bhatta (in Sanskrit).

of the same to a higher social grade. This process is going on all over India, and the prosperous castes are changing their status.<sup>50</sup>

Finally, we see that though the origin of the name still remains unknown, the Sudra has been the disenfranchised class recruited from all sides of the society. Again, the different orders within *varna* that have been originally different grades are fixed according to the political condition of the epoch. Lastly, like the Plebs of ancient Rome, according to economic condition there had been two grades of Sudras. The castes below them were the out-castes. They were not included in the four-fold *varna* system.

50) The present-day "Harijan movement" or the attempt to remove the untouchability problem must fail unless it is backed by economic upliftment. The so-called Bengal untouchables who on the average are more advanced educationally and economically stand on a different footing than elsewhere !

## CHAPTER XII

### Inter-marriages Amongst the Varnas

A careful study of the Vedas reveals that there was no caste-system in the Vedic age. Naturally, it is to be assumed that intermarriages amongst different *varnas* were not forbidden. From the Vedic stories of origin of Javala-Satyakama, Kakshivant, Kanva and of Ailusa-Kavasha, we can infer that there was no prohibition of connubium between the members of different *varnas* in the Vedic epoch.

Coming to the post-vedic epoch, in the "Dharma Sutras," we find that Baudhayana (600-300 B. C.) permitted the inter-marriage between the Brahmans and the Sudras (1. 8. 8). But Gobhila looked upon it with disfavour (3. 2. 42). That intermarriage amongst the members of different *Varnas* were prevalent in this epoch are evinced by the long lists of "mixed castes" given by Gautama (IV 14. 17) and Baudhayana (1. 8. 7-12), and the former (600-400 B. C. ?) said that the *yavana* (Greek) is the offspring of a Kshatriya male and a Sudra female (4. 17).<sup>1</sup> Again he speaks of the 'Anantara' offsprings of 'Anuloma' marriages as 'Savarnas' (4. 9). Thus we come to a period when the Macedonian invasion of India and the establishment of Hellenistic State on the Indian border, have led the Indian savants to conjecture their origin and their possible place in their *varna* polity.<sup>2</sup>

1 Kane-*op. cit.* p 19.

2 The above theory of the origin of the Hellenistic Greeks agrees with the Hindu 'Anuloma' marriage law which in subsequent period fixed the rule that if the mother be of lower class, the son will follow the "Varna" of mother. Manava Code lays it down in the aphorism 3. 15. For this reason, it seems that Manu and Patanjali regarded the Greeks and the Sakas as Sudras !

It also implies that intermarriages amongst the different *varnas* were going on in this period.

In the next epoch we find the conditions of the Hindu society reflected in the 'Arthashastra' of Kautilya.<sup>3</sup> He speaks of the hypergamous and hypogamous marriages. He also says that the sons begotten by Brahmans or Kshatriyas on women of of next lower *varnas* (Anantaraputrah) are 'Savarnas'; but on women of castes lower by two grades, are called 'Asavarnas' (the "Ekantarah," children are called 'Asavarnas.') He means that a son whose father is a Brahman but the mother a Kshatriya woman, gets his father's *varna* (caste). The one thing noticeable in him in the matter of intermarriages is that "the son begotten by a Vaishya on a Sudra woman is no other than a Sudra."

In the next epoch of Brahmanical domination, we find that Manava Code first allows marriage within one's own *varna* only (3. 12) but it also allows the usual hypergamous custom (10. 13). In the next injunction, according to the annotator Kulluka Bhatta, the prohibition of marriage of a man of lower *varna* with a woman of higher *varna* is implied (10. 14). But it says again, "If the Brahmans, the Kshatriyas and the Vaishyas who by mistake or folly marry women of low class, then the descendants of those marriages get Sudrahood" (3. 15). Thus, we see that the Manava Code contradicts itself. And the clue to this contradiction lies in the fact that the original<sup>4</sup> "Manu Smṛiti" narrated the existing conditions as they existed. The one thing noticeable in Manava Code is that the mixed castes are

3 Kautilya Bk. III. ch 1 Ed. 1915. In the edition of 1923, of the same book he has changed the translation. Hence *vide* the original text. Compare also the German translation by J. J. Mayer pp. 250-261.

4 Regarding the discussions about the original form of "Manu Smṛiti" or "Manava Dharma Sastra" *vide* Jayaswal's "Manu and Yagnavalkya" and Jolly "Recht unter Sitte" p. 21.



not regarded as *Varnas* as understood. Again coming to the era when the Brahman as a political power has already become a reality we find that Vasistha (100 A. D.) is strongly against the Sudras, and prohibits the marriage of a Brahman with a Sudra-woman (1. 25. 25. ). Again Sankhya whose age is to be determined as after Manu while allowing the Brahmins and the Kshatriyas to marry in the *dwija* classes next to theirs, does not allow the Vaishyas and the Sudras to marry outside their *varnas*. And the Code further says, "Even in distress a twice-born one should not wed a Sudra girl, in as much as a son begotten by him on her person will never find his salvation"<sup>5</sup> (Ch. IV. 7-8).

Then coming to Yagnavalkya (200-300 A. D.)<sup>6</sup> we find him saying. "There is a saying that the twice-born ones can get their wives from among the Sudras, I do not approve of it... If a Brahman, however begets a son upon his Sudra wife, the son does not inherit his father's property." Then he says, "The Brahmins, Kshatriyas and the Vaishyas must take wives, three, two, and one in number according to the order of their caste. The wife of a Sudra must be of his own caste." Further he says "Thus Pratiloma ...and Anuloma ... offsprings are known as 'Asat' (bad) and 'Sat' (good)' (56, 57, 95). In the 'Vishnu Smriti' of the same epoch (300 A. D.)<sup>7</sup> we find that it allows a Brahman to marry any of the four *varnas* ( 18.1. ). But it says "(sons begotten) on women of lower *varnas* become of the caste of their mother (16.2). Again sons begotten on women of higher castes are despised by the twice-born (16.3 ). But

5 Translation by M. N. Dntf.

6 Jayaswal *op. cit.*, p. 59. but R. C. Mazumdar gives the date as 400 A. D. *vide* "Corporate Life in ancient India" p. 6.

7 Translation by M. N. Dutt.

8 R. C. Mazumdar *op cit*, p 6.

coming to still later age of Parasara<sup>9</sup> (100-500 A. D.).<sup>10</sup> we find that he says "A son begotten on the person of a Sudra's daughter by a Brahman, and duly consecrated with Brahmanic rites by another Brahman is called a Dasa. A son thus begotten, but not consecrated is called a Napita. A son begotten by a Kshatriya on the person of a Sudra's daughter is called Gopala, whose boiled rice a Brahman can safely partake of. A son begotten by a Brahman on a Vaishya daughter and duly consecrated is called Ardhika, certainly whose boiled rice may be partaken by a Brahman" (Ch. XI 21-23). Here Parasara gives illustrations of hypergamous marriages even in such a late period of Hindu history. The strange thing is that the Dasa who has been called in Indian history all through as slave or as servant is called here of Brahman origin and consecrated with Brahman rite, and the similar son not consecrated is called as Napit (barber).<sup>11</sup>

In this wise we see how old names remain but the ideas regarding the class or the caste change in different epoch.

Thus we see that the more we come towards the modern period, the more the law of intermarriages between the *varnas* become stringent and with the accession of the Brahmans to state power, intermarriage between the Brahman and the Sudra becomes interdicted by the important *Smriti*-makers.

Now, the question comes as to what became of the fate of the offsprings of these mixed marriages? We must look into the status of these offsprings.<sup>12</sup> Gautama belonging

9 M. N. Dutt, *op. cit.*, pp. 849-850.

10 Kane *op. cit.*, p. 195.

11 The barbers of Bengal and Madras are nowadays claiming Brahmanhood.

12 The epic Mahabharata says, the son of a Brahman is a Brahman though the mother be of Kshatriya or Vaishya *Varna* (xiii, 4-17).

to the post-Vedic age says, "Sons begotten on a Sudra woman by above four *varnas* (Brahman, Kshatriya, Vaishya, Sudra) are respectively designated as Parasavas, Yavanas, Karanas and Sudras. The learned ones say sons begotten by fathers belonging to a (superior) *varna* on mothers belonging to another (inferior *Varna* in the order of enumeration (*Varnantara*), respectively retain their (*Varna*) superiority or inferiority upto the fifth and seventh generations. Sons of Pratiloma descent *i.e.*, offsprings begot by men of inferior castes on women of superior castes in the inverse order of enumeration, are disqualified from performing any religious rites. Sons who are issues of intermarriages among Sudras of different castes, become degraded and extremely depraved" (Ch. IV). Here, also he says that the 'Anantara' children of Anuloma-marriage (marriage in the *varna* next to that of the husband) become 'Savarna.'

In this law, the injunction is that intermarriages give rise to various mixed "castes." Then it says that the offsprings of mixed marriages begotten by fathers of superior castes retain his *varna* superiority upto seventh generation! It means, that the sons of Brahman father and a Kshatriya or Vaishya mother retain the superiority of Brahmanical *varna*. In the case, when the Kshatriya is the father and the mother belongs either to Vaishya or Sudra caste then the same rule holds good. In the case of Vaishya father and Sudra mother likewise is the rule as it says "the same principle must be applied ... as well as to Vaishyas and wives of the Sudra caste."<sup>13</sup> Here it is to be noticed that Gautama calls the *anantaras* as Savarnas as he says, "In the case of Anuloma marriage with (Anantara), 'Ekantara' and 'Dwa-anantara' wives, the children become respectively 'Savarna,

Ambastha, Ugra, Nishadha, Daushmanta and Parasara" (ch IV. 9).

Next Manu says "sons begotten by twiceborn men on wives of next lower castes, they declare to be similar (to their father) but blamed on account of the fault (inherent) in their mother" (10.6).<sup>14</sup> This is explained by the aphorism which says "The son begotten by a Brahman on a Kshatriya, Vaishya and Sudra woman, and the son begotten by a Kshatriya on a Vaishya and Sudra woman, and the son begotten by a Vaishya on a Sudra woman, these six sons are inferior to the 'Savarna' sons (10. 10). Thus they are not equal in status with the pure born sons. The status of these offsprings of hypergamous marriage is stated next to be this : "The sons of the twice-born begotten on women of the next lower castes who have been enumerated in due order, they call by the name 'Anantaras' ( belonging to the next lower caste) on account of the blemish (inherent) in their mothers."<sup>15</sup> (10. 14). Here it is evident that the son retains the privilege derived from his father's class or Varna. The importance of blood is emphasised here. But it seems that it contradicts the first part of the law in the case when the mother is a Sudra and children are enumerated as forming different classes. Does the law mean that the offsprings of a Kshatriya or a Vaishya father and a Sudra mother are superior to the offsprings of pure Sudra origin ? But Kautilya (163-164) speaks of them as 'Asavarna' sons who are placed by him in disadvantageous position in the matter of inheriting father's property, while Manu we have already seen puts the Yavanas an alleged "mixed caste" in the Sudra<sup>16</sup> class (10. 44) instead of enumerating them in a separate group.

From this law then we gather that the offsprings of mixed

14 Jone's translation p. 403.

15 Jone's translation of Manu, p. 405.

16 Jones—*op. cit.*, pp. 412-413

marriages in hypergamous line inherit their father's privileges even to seventh generation. It also means that the man's status is determined by his father's *varna*. In this matter of mixed marriages Kane draws our attention to the fact that "Some of the views of "Ausanasa Dharmasutra" are worth special notice. The son of a Brahman, Kshatriya or Vaishya from a wife of the *varna* immediately next to it, belonged to the caste of the father (Ch. III folio 3 a).<sup>17</sup> Here it clearly said that the son of a mixed marriage gets the "caste" of his father, Hence it implies that the son of a Vaishya father and Sudra mother becomes a Vaishya.

From these it is evident that in the post-Vedic age in the case of mixed marriage the son used to take his father's *varna* i. e., the blood inherited from the father's side was counted as of more importance.

Now, we turn to Manu, the most authoritative Code of orthodoxy. The Manava Code<sup>18</sup> says. "In all castes (*varnas*) those (children) only which are begotten in the direct order or wedded wives, equal (in caste) and married as virgins, are to be considered as belonging to the same caste (as their fathers)" (10. 5). Here, it is seen that a man in order to be of pure *varna* must have parents of equal social status.

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By this we understand that according to Manu the 'Anantaras' get an intermediate status next to their father but superior to their mothers. They are called *Anantaras*' (belonging to the next lower caste) on account of the blemish (inherent) in their

17 Kane—*op. cit.*, p. 112

18 Jones's translation, p. 403

mother (10 14). The annotator Kulluka Bhatta explains it thus "that they become like mother i.e. they receive the rites of their mothers." In this ruling we find that the offspring of a mixed marriage by hypergamous process though superior to the mother's *varna* gets the *varna* of his mother.<sup>19</sup> It seems there is a confusion here. The 'Anantaras' get the privileges higher than their mother's class, but get the *Sanskaras* (rites) of their mothers. In that case they will be identified with their mother's class what is not understood by Manu.

Then it finally says, six sons begotten by *dwijas* on women of equal and the next lower *Varnas* (Anantara) have the duties of twice-born man; but all those born in consequence of a violation (of the law) are, as regards their duties equal to Sudras" (10. 41). That means, the son of a Brahman by a Brahman wife, the son of a Kshatriya by a Kshatriya wife, of Vaishya by a Vaishya wife, these three and the sons of a Brahman by Kshatriya and Vaishya wives and the son of a Kshatriya by a Vaishya wife, these six sons become *dwijas*. They are fit to get the rites of the *dwijas*, and those amongst the *dwijas* who are born in the reverse processes, viz., *Suta* born of a Kshatriya father and Brahman mother, they become like Sudras, i.e., they do not receive the rites of *upanayana* (ceremony of wearing sacred thread) etc. (Annotation of Kulluka Bhatta).

In this case, we see, the law of Manu is that amongst the *dwijas*, the sons born of marriages within the *varnas* and born of hypergamous weddings are to be counted as *dwijas*, but the offsprings of reverse order of marriages are to be punished by being deprived of their privileges as twice-born. In this law,

19 In the story of Ramayana where Dasaratha killed the son of the blind 'rishi,' he is called a 'rishi' as the son of the blind Muni but not a *dwija* as the father is a Vaishya and mother a Sudra. But the last recension of Ramayana took place according to some in 300 A. D.

the Manava Code stands for the upkeep of the social hierarchy and in the case of hypergamous marriages the status of the sons will be determined by their father's class. While Sankhya says that the son begotten by a Brahman on a Kshatriya woman becomes a Kshatriya<sup>20</sup> (Sankhya quoted in Mitakshara on Jagnavalkya I. 91)<sup>21</sup>.

Thus if Manu gives an intermediate status to the sons of mixed marriages, Sankhya degrades them to the status of their mothers. From Manu downward to Yajnavalkya we find that the *Smriti*-makers have prohibited inter-marriages with the Sudras and the children of hypogamous (*Pratiloma*) marriages have been degraded as *Asat*. And this evolution began to take place since the rise of the Brahmans as the ruling class.

In this development we find that at first the children of mixed marriages were taken in their father's class; then they were regarded as forming an intermediate grade between both the parents. Lastly we hear, that the intermediate status was also lost by the sons of mixed marriages and they are relegated to the status of their mothers. This will signify that the class system has become completely hardened into strictly hereditary endogamous groups. And the taking away of the privileges of the children of hypergamous marriages and the complete degradation of the offsprings of hypogamous marriages indicate the tendency of not countenancing any sort of intermarriage any longer.

Yet the mention of mixed marriages by these *Smriti*-makers testify that such marriages were still in vogue, though since the Muhammedan invasion we don't find them any longer within India proper. In the next epoch, *i.e.*, in the period of the first Muhammedan invasion we find in the accounts of the

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21 Kane—*op. cit.*, p. 91.

Arab traveller Ibn Khordadbeh who died in 912 A. D. Speaking about the Katariyas (Kshatriyas), that the daughters of the class of Brahma (Brahmans) are not given in marriage, to the sons of the firstmentioned class, but the 'Brahmas' take their daughters.<sup>22</sup> This news is recorded in the tenth century A. D. This testifies that though hypergamous marriage was still in vogue marriage in the reverse way has stopped in that period. The Hindu society is beginning to assume its rigid form which we find in the later epoch, *i.e.*, in the period of Muhammedan domination.

Yet we hear of the prevalence of hypergamous marriages in present-day India in the Himalayan tracts of Nepal and Gharwal. There the Brahmans still marry Sudra women. Of course the offsprings are not taken in the father's caste. Again in Assam the practice of intermarriages between different 'castes' is prevalent. Also, in the eastern part of Bengal intermarriages between the Vaidya and Kayastha castes take place. Sometimes the intermarriage between the son of a Kayastha, with the daughter of a Saha is reported. In the lower strata, the unclean and untouchable Bagdis intermarry with the Dules (another unclean caste).<sup>23</sup> In these cases of intermarriages between the different castes of Eastern India the children are taken in the father's-caste. Of course these are not strictly the intermarriages between different *varnas*, though these castes are claiming descent from the different traditional *varnas*.

<sup>22</sup> Elliot's History of India, Vol. 1. p. 16.

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## CHAPTER XIII

### Caste-System in present-day India

Enquiry shows that in India (as elsewhere) different functions in the society gave rise to various classes in the old days ; also that some of these classes latterly got sub-divided into different occupational groups which constituted themselves into guild systems, that these groups by observing strict endogamy by-and-by and the callings becoming hereditary, and the ideas of purification and taboo working on them, the classes and the sub-divisions came to be transformed into castes. The rise of the hereditary and endogamous caste-system appears to date about the period of the Muhammedan invasion. The exact date of the transformation cannot be traced. It seems that commensality came to be strictly forbidden during the rise of the Vaishnava form of Brahmanism. As the result of class-struggle, the status of the classes and their sub-divisions were shifting. Further, the notions of purification and taboo coupled with the attitude of the dominant class towards various professions, determined the status of a class or a subsequent caste.

With the beginning of the modern period of Indian history we find the castes as ossified social institutions. Now let us enquire into the condition of these castes in the periods when the history of India is no longer a record of the Hindu society only. Since the beginning of this period, a fiction has been raised by the Brahmans that in Kalijuga the four *varnas* do not exist, only the first and the last *varnas* are to be found. But we see that, that fiction does not work everywhere. In Bengal, after the destruction of the Hindu power, the fiction was applied by Raghunandan in the fifteenth century. As a result, theoretically only two *varnas* exist. But in the upper Gangetic Valley,

where the Rajput class claiming to be the direct descendants of the ancient Kshatriyas, and the Bania caste claiming to be the lineal descendants of the ancient Vaishyas exist, the fiction of two *varnas* only, can not hold good. Similarly, in Rajputana, the ruling Rajputs and the ubiquitous mercantile Banias, give the lie to this theory. In Maharastra, since the rise of Shivaji, the Maharattas have claimed to be the representatives of the Kshatriya *varna*. In the Telugu-speaking Andhra country, the Rajus and the Vallalas assert themselves to be the representatives of the ancient Kshatriyas. But still further South in Malabar and elsewhere, though some families put forward the claim of Kshatriyaship, yet the general Hindu society is divided into 'Brahmans' and 'non-Brahmans'. All the non-Brahmans are called "Hindus" and they are again divided into 'good' and 'untouchable' castes.

Besides this general outline of the present-day caste system there are various intricacies in the midst of the various castes, as castes are always in the making, and each group according to its socio-economic status identifies itself with one of the four traditional *varnas*. To-day, there is no *varna*-system, but the caste system is a reality. Since the time when the different social groups have interdicted *connubium* and *commensality* with each other, they have transformed themselves into "castes". Now, the castes are not synonymous with the traditional *varnas*, because various castes following diverse professions theoretically range themselves within the fold of particular *varna*. Now-a-days, the Hindu social structure has become so topsy-turvy that mercantile castes like the Banias of Bengal following the avocations of the ancient Vaishyas are called Sudras, while a Brahman caste like the Babhans of Behar has taken to cultivation which is the occupation of the Sudras in modern times. Again, in many places the Brahmans and the Rajputs have taken to cultivation and to various sorts of avocations formerly followed

by the Sudras, yet, they keep their caste-membership intact. Further, it is seen, that a section of the same ethnic group like the Mallas of Western-Bengal are divided into two parts through economic condition. The land-holding section calls itself Rajput, while the less fortunate section which functions as cultivator has lost its right to be a "dwija." This section does not wear the sacred thread of the *dwijas*. Again, the landholding section of the untouchable aboriginal Bhuiyas are calling themselves Rajputs, while the poorer sections of the same ethnic group are passing themselves under different names in different places with various status in the society. For this reason, *varna* has become a fiction, perhaps it became a fiction in the middle part of the Hindu period when the people were grouped into multifarious occupations. It seems, the orthodox *Smriti*-writers kept up the fiction of *Varnasramdharma* i.e., fourfold division of the Hindu society. Fick has shown that already in the post-Vedic epoch the characteristic Brahman as described in the books is a myth, the Brahmans were following all sorts of vocations in life, and that there were different occupational guilds. It seems these guilds, became the fore-runners of the present-day castes.

Now-a-days no body speaks of *varnas*, but everybody speaks of *Jatis*. The word *Jati* has been translated as caste. But Fick calls it class. Everybody is ruled by the unwritten customs and rites of this *Jati*. A *Jati* is a self-sufficient, autonomous group. Each *Jati* is a community by itself. Formerly, in the days of the guild system, each of them was governed by a Committee as we have seen before. But in present-day India, the higher castes have no committees to govern themselves. In some parts some castes are governed by their caste *Panchayets* (Committees). But in Bengal, the old caste elders, viz., the *Gains* (Gramani) of the Brahmans, and the *Chais* (heads) of the Weavers have been relegated to the limbo of oblivion.

In modern India, each *Jati*, clean or unclean, is sub-divided into different sections, each section is identified with a particular territory in which it originally lived *i.e.*, where it has been originally organised. Here we should remember that there is no racial homogeneity amongst a caste. Perhaps peoples having different racial characteristics grouped together under the banner of one profession and formed a guild which developed into a modern caste. Perhaps different *Septs* were formed from different localities containing peoples of different stocks.

In most of the cases, the sub-divisions do not intermarry with each other. The reason lies perhaps in the feeling of strangeness to each other. It seems that only in the case of the Rajputs, different clans intermarry with each other, yet the Rajputs from the farthest parts of India find it difficult to intermarry with the proud families of Rajputana.

When the castes are thus communities by themselves, in some matters they are common with each other. In the matter of religious functions the same group of Brahmans officiate as priests of all the clean castes while the unclean castes have their particular group of priests known as "Varna Brahmans", who are degraded from the ranks of the Brahmans of the clean castes. Again each set of "Varna-Brahman" does not interdine or intermarry with the other, while the other things in common are the services of the barber and the washerman. But in the case of the lower strata of the unclean castes who are generally known as "untouchables", these services are refused. Hence, these castes fall on the necessity of developing barber and washerman groups of their own. Again, some of these castes, have developed priests of their own communities who are now-a-days arrogating to themselves the rank of genuine Brahmans.<sup>1</sup> This is the general situation of the castes of

1 The Jogi Brahmans of Bengal are claiming themselves to be genuine Brahmans. The Doms have their own priests who are called as "Pandits." Such was Ramai Pandit,



present-day India. But custom varies in different places, and there are no universal caste rules which are followed all over the country. Of course the religious injunctions regarding rites and festivities are followed in common, and these are the common bonds of union of all the Hindus.

Now let us enquire into the condition of 'the castes of present-day India. Beginning from the north, the cradle of the Indo-Aryan people we find that the Jats as well as the Rajputs who claim to be the descendants of the ancient Kshatriya class are suspected to have a common origin. The view of the ethnographer of the Panjab castes is—that a Rajput tribe is not necessarily descended from a ruling chief or sovereign, but that the rise to political power or independence of a member of a tribe tended to promote his collateral kinsmen as well as his direct descendants to the status of Rajput; Sir Denzil Ibbetson might well have gone further and said that a tribe of any caste whatever, which had in ancient times (or even in comparatively modern time) possessed supreme power throughout any fairly extensive tract of country would be classed as Rajput. It seemed to him almost certain that some of the so-called Rajput families were aboriginal, and he instanced the Chandel. "A very similar process has gone on all through the Himalays from Chitral to Nepal, especially in the Kangra and Kulu hills."<sup>2</sup> Again, regarding the Hindu Rajputs of the Eastern Hills, Barnes says, "Two of the old royal and now essentially Rajput families (of Kangra) are said to be Brahman by original stock."<sup>3</sup> The abovementioned Ethnographic

the writer of "Dharmamangal." But his descendants are claiming themselves to be real Brahmans. The claims of the 'Varna-Brahmans' as Brahmans have already been discussed.

2 "A glossary of the Tribes and Castes of the Panjab and North West Frontier Province." Based on the Census Report for the Panjab, 1883 by late Sir Denzil Ibbetson, Vol. III, 1904. p. 272.

3 Barnes: "Kangra Settlement Report." ¶ 73.

Report again says, "But in former times, if not now, status could also be gained by royal favour, for a Raja might promote a *Ghirth* to be a '*Rathi*' or a '*Thakur*' to be a Rajput, for service done or money given ... The '*Rathi*' many contract a *ghanjrara* or second marriage with a woman of another caste, such as Jat or Jhiwar, and the issue by such a marriage are deemed legitimate. Thus we arrive at the obvious conclusion that there is no endogamous Rajput 'caste' at all, and moreover these are no sub-castes but series of *status-groups*, each more or less hypergamous."<sup>4</sup> Thus, from this report we find that hypergamy exists in the Panjab Hills, and castes are nothing but social status.

Coming down to the plains, the Report says that "in the territory about Delhi we find a number of tribes now Jat, but claiming Rajput origin."<sup>5</sup> Again, "Ahlawat, a Jat tribe is said to be descended from a Chauhan Rajput who came to Sambalpur in Jaipur some 30 generations ago." Also, the Bains, a Jat tribe, claim to be of Janjua Rajput origin. The Bains is one of the 36 royal families of Rajputs, and the Rajput clan of Bains lives in the upper Gangetic Valley. Yet the Bains in question here have been degraded to the Jat caste.<sup>6</sup> Then another important fact we learn is that the Saraswat Brahmins and their *Jajamana* (lay disciples) Khatris eat together.<sup>7</sup> Here is a case of Brahmins and the non-Brahmins interdining with each other. Again, "the Brahmins of Chota town and Bungul disavow all caste connection with the Halbah or cultivating Brahmins."<sup>8</sup> Further, in the Pangri Wizarat of the Chumba State (Panjab Hills) Brahmins, Rajputs, Thakkar and Rathis form one caste without restrictions of food or marriages. In the Ravi Valley especially in Churah and to a less degree in Brahmins also free marriage relations exist among the different high castes, good families excepted. But in recent years there

4. 5, 6, 7, 8, Glossary, *op. cit.*, Vols. II and III.

has been a tendency towards greater strictness in the observance of the caste rules." Thus we find that in the North-Eastern part of the Panjab the customs of connubium and commensality among different castes *interse* are still in vogue.

Now let us enquire about the Gujar. "He is of the same social standing as the Jat or perhaps slightly inferior, but the two eat and drink in common without any scruple."<sup>9</sup> Again, "Mr. Wilson notes that the Gujars and the Bargujar tribe of Rajputs are often found together, and suggests that the latter may be to the Gujars what the Khanzadahs are to the Meos and what most Rajputs are to the Jats."<sup>10</sup> This means, the aristocratic class of the same people have separated themselves from the parent stock. Also, we have seen that the four so-called "Agnikula" clans of Rajputs were originally divisions of the Gujars. It is now the impression, that the ruling clans of the Gujars have got admittance into the Rajput clans<sup>11</sup> though the main section remains as Sudra below the status of the Jat. Again, some of the Gujar tribe of Nabha (Panjab) vaguely claim Rajput descent.<sup>12</sup> Ibbetson in the Panjab Census Report of 1883 says, "The line separating Jats, Rajputs and certain other castes (tribes) is almost impossible of definition. More especially is this true of the whole of the western Panjab ... where the land-owning and cultivating classes are organised on a tribal basis, so that stress is always laid on a man's tribe or clan and not on his status or 'caste.' As we go further east the people begin to use caste term ... In the Central Panjab the Jat is fairly well defined as a caste, though he is not absolutely endogamous. ... Even in the eastern districts such marriages are tolerated, but in the true Jat country which centres round Rohtak they are probably rarer than in Karnal."

9, 10, 12 Glossary, *op. cit.*, Vols. II and III.

11 *Vide* Rudolf Hoernle, Bhandarkar-

Here<sup>13</sup> we find the phenomenon that the tribe or clan is gradually being identified with a caste, and this transformation takes place in the Eastern part, *i.e.*, where Brahmanism is strong. Indeed, in the whole of North India a man primarily talks of his tribe or clan, rather than his caste, and this accounts for the reason why even a Muhammedan clings to his tribal or clan name and organization. Finally, the Panjab ethnographer says, that according to him the term Rajput is occupational rather than an ethnological expression, and he says that "the distinction between the Jat and Rajput being social rather than ethnic, I believe that those families of that common stock whom the tide of fortune has raised to political importance have become Rajputs almost by mere virtue of their rise ... while such families as attaining a dominant position in their territory began to affect social exclusiveness and to observe the rules, have become not only Rajas, but also 'Rajputs' or sons of Rajas. For the last seven centuries the process of elevation at least has been almost at a standstill. Under the Delhi Emperors king-making was practically impossible. Under Ranjit Singh Rajput was overshadowed by the Jat. But in the hills ... where the Rajput dynasties retained their independence till the other day. . the twin processes of degradation from and elevation to Rajput rank are still to be seen in operation. The Raja is there the fountain not only of honour but also of caste which is the same thing in India."<sup>14</sup> Thus it is clear that caste is a social status depending not on race, but on political power.

That caste was originally an occupational grouping is attested by the same ethnographer<sup>15</sup> when he says that "in the Kangra hills the Kaith is an accountant, in the plain the Kayastha is a caste."<sup>16</sup>

13 14, 15 Glossary—*Ibid.*

16 Barnes says, "The Kayasth of the hills is not identical with the Kayasth of the plains". This finding of Barnes does not contradict the above observation. The

Thus in the Panjab we find that the custom of intermarriage still exists in some places, and that one section of the same people has elevated itself as the ruling class (Rajputs) while the cultivating section remains as a Sudra caste. Hence caste is a social status that depends on political power behind it.

Coming to the eastern part of India, we find the aboriginal Cheros (Mentioned in the Vedic *Aitareya Aranyaka* II.1,11,5) who in the Chota Nagpur retain totemistic sectional names and are regarded as closely akin to the Mundas, are in some parts transforming themselves as Rajputs! "The land-holding Cheros of Palamau have borrowed the Brahmanical *Gotras* in support of their claim to be Rajputs, and have thus successively obliterated all traces of their true antecedents. These Cheros are divided into two sub-castes: "Bara-hazar" and "Tera-hazar" or "Birbandhi." The former is the higher in rank, and includes most of the descendants of former ruling families who assume the title Babuan. The "Tera-hazar" are supposed to be the illegitimate offspring of the "Bara-hazar." Some of the wealthier members of the latter group who have married into local Rajput houses call themselves *Chohanbansi Rajputs* and decline alliance with the "Bara-hazar" Cheros. For the most part, however, the Cheros of Palamau, are looked down upon by the Cheros of Bhojpur by reason of their engaging in the degrading occupations of clearing *tasar* cocoons and collecting catechu and lac."<sup>17</sup>

Here, again we see the phenomenon that the economic condition of a group gives its social status. On this basis the

Kayastha is the clerical caste, it means a writer. Originally it was an occupational grouping; now it has hardened into a caste in the plains, the same evolution may not have taken place in the hills. Identity of profession or caste does not mean racial or ethnic identity. The name of Kayastha as administrative official is to found mentioned in the inscriptions of the Rajputs.

17 H. H. Risley: "The Tribes and Castes of Bengal—"Ethnographic Glossary," Vol. I, pp. 199—201.

so-called aboriginal wealthy Cheros have assumed the high-sounding name of 'Rajputs' and are claiming descent from the historical Chauhans ! "The Palamau Cheros now live strictly as Rajputs and wear the *Paita* or caste thread."<sup>18</sup> Further, many of the Chota Nagpur aristocratic Rajput families who call themselves either as *Go-bansi*<sup>19</sup> or *Nag-bansi* trace their descent either from a cow or a serpent !<sup>20</sup> This signifies that these were their original totems, and these two totemistic tribes have elevated themselves into Rajputs.

Then coming to another important ethnic group, the Bhuiyas who lives in West Bengal, Bihar, Orissa and in Chotanagpur, we find that they are known by various names, viz., Bhuiyah, Bhuihar, Bhumiya, Musahar, Khandait, Ghatwal, Tibayat, Rai-Bhuiya. The Ethnographer, Risley says, "It is a plausible conjecture that the tribal Bhuiyas, properly socalled, as distinguished from the titular Bhuiyas<sup>21</sup> of other tribes or castes, may have had their original settlements in the Tributary States to the South of the Chota Nagpur plateau. Travelling southward from the assumed centre, the conditions appear to have been more favourable, and the tendency has been for the Bhuiyas to rise rather than to decline in social status. Some of their leading families have come to be Chiefs of the petty States of Orissa, and have merged their identity in the claim to quasi-Rajput descent. The main body of the southern colonists furnished the tribal military of Orissa, and have now sunk the Bhuiya in the Khandait or swordsmen—a caste of admitted respectibility in Orissa, and likely to transform itself into some

18, 20 H. H. Risley : "The Tribes and Castes of Bengal"—"Ethnographic Glossary," Vol. I, pp. 199—201.

19 *Ibid.*, Vol. II, p. 184-185.

21 The word Bhuiya is of Sanskrit origin. In the Middle Ages of Bengal, the great landlords, were called "Bhuiyas"

variety of Rajputs.”<sup>22</sup> Then, let us enquire about the Bhumij, an unclean caste and outside the pale of orthodox Hindu society. It is a caste that is generally regarded as of aboriginal origin. Its habitat is nearly the same area as that of the Bhuiyabs. Risley says “There can be no doubt that the Bhumij are closely allied to, if not identical with the Mundas, but there is little to show that they ever had a distinct language of their own ... The Bhumij of Western Manbhum are beyond doubt pure Mundas, ... the aborigines of the eastern tract call themselves Bhumij and talk Bengalee. The physical characteristics of the race however remain the same.”<sup>23</sup> Regarding the Bhumij, the Ethnologist Dalton says, “It is pretty certain that the Zemindars (landlords) of all these are of the same race as their people, though the only man...to acknowledge this was the Raja of Bagmandi, ... all call themselves Khattriyas or Rajputs, but they are not acknowledged as such by any true scion of that illustrious stock. In claiming to be Rajputs ... each family has its own special legend of miraculous production.”<sup>24</sup>

Thus we see that with economic advancement the aristocracy of the so-called aboriginal tribes have elevated themselves to higher status. The Bhuiyabs who are generally a landholding class, who acted every where as militia men of the local Rajas have due to their better economic condition elevated their social status and are calling themselves ‘Kshatriyas.’ The aristocracy of these people have put up claims to be pure Rajputs and as such have cut off their connection with the parent stock. The *Go-bansi* and *Nag-bansi* ‘Rajput’ Rajas of Chota Nagpur and Western Bengal do not claim any connection with the original stock. The old feudal Raja families of Vishnupur (Bankura) and Panchcote (Manbhum claim connection with Rajputana and elsewhere, and do not acknowledge any connection with the

<sup>22</sup> <sup>23</sup> Risley . *op. cit.* pp. 108-111, 116—118.

<sup>24</sup> Dalton : “Ethnology of Bengal, p. 174.

parent *Malla* or Bhuiya stock ! While the aristocracy has separated itself from the original stock yet there are social differences between the Bhuiyas and the Bhumij. The Bhuiyas being the militiamen of the old days hold land, hence their economic condition is better. For this reason, with the elevation of their aristocracy to the Rajput caste, the status of all the Bhuiyas have been raised. But in West Bengal where the Bhuiyas have no aristocrats calling themselves as such, their social status is low. They are regarded as an 'unclean' caste.<sup>25</sup> But the masses of the Bhumij whose economic condition is very low, are generally poor and are regarded as an untouchable caste by Hindu Society.<sup>26</sup> But their aristocracy is calling itself Rajput, and is denying its ethnic origin.

Now let us enquire into the origin of the Chota Nagpur Rajputs. The "Ethnographic Report" says "In Chota Nagpur... the methods by which many of the chief landholding families have transformed themselves into Rajputs may be traced beyond question at the present day. The Maharaja of Chutia Nagpur is a 'Nagbansi' ... the Raja of Pancheta (Panchote) is a *Go-bansi* Rajput. The former is a son of a Brahman mother and snake father, the latter had a cow as progenitor in Panchet ... some minor landholders of the Bhumij tribe who hold Ghatwali tenures in Barabhum ... call themselves as Rajputs ... their ancestors in the last generation called themselves Bhumij."<sup>27</sup>

Thus the sequel to the elevation of the Bhumij and the Bhuiyals we find in the Rajput of Chota Nagpur. This part of Central India is the nursery for creating Kshatriyas. It is the place from where champions of Brahmanism arose to defend

25 Late Pandit H. P Sastri regarded the "Nava Naga" dynasty of Vishnu Purana whom Jayaswal calls the Bharasiva Imperial dynasty may be of Bhuiyah origin; S. C. Roy opines in the same way.

26 The Bhumij are in the Schedule I list of the Government as depressed caste

27 Risley. Vol. II, pp. 184-185.



orthodoxy after the Brahmanical rule of the Satavahans. The Vishnu Purana speaks of the Nine (New ?) Naga Rajas arising from the Vindhya range side. Jayaswal thinks that this Naga dynasty was the imperial (?) Bharasivas who as the champions of orthodoxy fought against the Sakas. The story of Naga Rajas was extant in the middle part of the Hindu period of Indian History. Scholars like Haraprasad Sastri and Sarat Chandra Roy surmise that the Nava Naga Rajas or the Bharasivas of Jawaswal were of Bhuiyah origin."<sup>28</sup>

Here, we again find that with the improvement of economic condition men have changed their caste or former social status and have elevated themselves to a higher status.

Now, coming to Bengal proper, we find a caste called Chasadhoba. "According to their account, they are the modern representatives of the Vaidehas spoken of in Manu (x.11) as the offspring of a Vaishya father and a Vaideha mother...In spite of their exalted traditions it may be inferred from the social status of the Chasadhobas and the apparent totemistic character of some of their *gotras* ... that they are really of Dravidian descent and probably a branch of *dhobas* who have taken to cultivation, and thus raised themselves so far above the parent caste that they now disown all connection with it."<sup>29</sup> The name of this caste means the washermen who have taken to cultivation. Perhaps it is a functional caste<sup>30</sup> who according to their function have separated themselves from the original caste. But as the washerman caste of Dhoba (Rajak) is unclean, this caste is also regarded as unclean and "Brahmans will not take water from their hands."<sup>31</sup> Another

23 It is said that the "Nag-Bansi" Rajputs claim their connection with the historical Naga Rulers.

30 Their tradition is that they are degraded by King Ballal Sena to the grade of "mixed caste." Their presentday leaders are denying it.

29. 31 *Ibid—op. cit.*, p. 195.

example of a functional caste is the big Kaivarta caste. Once this caste or tribe made a rebellion under Dibboke in the eleventh century A. D. in North Bengal.<sup>32</sup> This rebellion was so powerful that it shattered the power of the Pala kings who ruled over Eastern India. Originally it was a fishing class, and as such, was regarded as degraded by the *Smṛiti* makers. This class is called as Keot in Behar, but this name is being dropped in Bengal and Kaivarta the Sanskrit form of it being used here. At present this class has split up into two castes, one section which has taken to cultivation calling itself Mahishya, (the name of a mixed caste mentioned in the *Smṛitis*), while the other section, still engaged in fishing, has retained the old caste-name. The section calling itself "Mahishya" is a clean caste,<sup>33</sup> and their tradition is that they were raised to the grade of clean Sudras by the Brahmanical king Ballala Sena for services done to him, or as the other version says by promising to the same Raja "to abandon their original profession of fishing."<sup>34</sup> Pandit H. Sastri said "The Kaivartas were expressly excluded from the pale of Buddhism except those that renounced their profession of the slaughter of animals... Ballala tried his best to make a clean caste of them."<sup>35</sup> As regards the internal structure of this caste, "In Central Bengal and Maldah we find the cultivating and fishing groups, variously called *Halik* and *Jalik* or *Chasa* and *Jaliya* clearly differentiated, while in Dacca there is no *Chasa* or *Halwaha* division, and the Das-kaivartas have not yet separated into a distinct caste ... In Backergunj ... the separation is

32 Vide Sandhyakar Nandi's 'Ram Charita' in Sanskrit and all history books and inscriptions on Bengal.

33 It is reported that in some parts of Bengal they are not yet a clean caste.

34 Bieely *op. cit.*, 377.

35 H. P. Sastri, Introduction to "The Modern Buddhism and its followers in Orissa," p. 15.

not long in force, or has not gained sufficient acceptance to render the two groups completely endogamous. Intermarriage is permitted among them, but is restricted by certain conditions."<sup>36</sup> But in west Bengal the division is completed, the cultivating section is calling itself "Mahishya." It is accepted as a clean caste, and is prosperous and rising in culture. Regarding this change of caste name, Sastri says, "The Kaivartas forgetful of their past and forgetful of their old tradition are now attempting to call themselves Mahishyas and thereby raise themselves to the position of Vaishyas, though degraded in status. One who knows the past history of India cannot forbear a smile at this."<sup>37</sup>

Here, again we see that according to function the original caste or ethnic group has divided itself into different sections and by practising endogamy is transforming itself into a different "caste." But where the function is not yet differentiated the break has not reached completion. Again, the thing to be noticed here is that behind the attempt of a particular section to identify itself with one of the traditional *varnas* lies economic prosperity."<sup>38</sup>

Again, taking the case of 'Sadgops' i.e., good milkmen, we find that they are a cultivating class, "who are supposed to have separated themselves from the 'Goalas' (milkmen) by abandoning pastoral pursuits and taking exclusively to agriculture. Brahmins will take water from them."<sup>39</sup> Here again we find that a new caste has been formed by changing its occupation. This group has taken up new function and has become

<sup>36</sup> Risley *op. cit.*, p. 374.

<sup>37</sup> Sastri—*op. cit.* p. 16.

<sup>38</sup> Those of the Kaivartas who are calling themselves "Mahishyas" and wearing the sacred thread are a prosperous landholding class. This claim to higher status has been made within the living memory of a man.

<sup>39</sup> Risley *op. cit.*, p. 212-213.

endogamous, hence it has transformed itself into a new *jati* (caste).

Now, let us enquire into the Social condition in the Northern Hills. In these Hills many of the tribes are Buddhists; and in Nepal, which is the only independent Hindu State there is a large Buddhist population. Sastri says,<sup>40</sup> "To the Brahman the Buddhists are "Anacharaniya" (untouchable). The king acting under the advice of the Brahmans may make some particular families or classes clean castes, but the bulk of them are outside the pale of Brahmanic society. The descendants of the married clergy (Buddhist) ... take to such arts and callings as would bring respectable wages without hard manual labour. Thus in Nepal, Goldsmiths, Carpenters and Painters all belong to the descendants of the married clergy. By an analogy of Nepal one can easily detect why *Chhutaras* (carpenters) and *Sakras* (Goldsmiths) have become "Anacharaniya" in Bengal. Formerly these two castes formed a part of the Buddhist community in Bengal and so the Brahmans have excluded them from the Vaishya community ... The merchant community in Nepal noted for their personal beauty, all belong to Buddhism and are for this reason excluded from the Brahmanic society. For the same reason the merchant community of Bengal who stood by their Buddhist priests have been excluded and made "Anacharaniya," while those who changed their priests have been taken within the Brahmanic fold and made clean castes ... The case of "Sonar-Varnias" is decidedly a good one. They were Buddhists ... Ballala (the Sena king) wanted money for a war against Magadha. Vallabha (the leader of the caste) refused to advance money. This led to a quarrel and Ballala drove the Varnias away. They settled in the adjoining kingdoms. Those who remained in Bengal were degraded. Brahmans were prohibited from teaching them and officiating in their

40 H. P. Sastri—*op. cit.*, pp. 19-22.

religious ceremonies ... The Vaidika Brahmins from the South sympathised with the Banias and they incurred the displeasure of Ballala and were not admitted to Kulinism."<sup>41</sup>

Here, again, we see that the status of a clean or unclean caste, *i. e.*, the status of being within the society or outside the Brahmanical society depends on the King *i.e.* the State power.

From the customs of the Panjab Hill States and from Nepal where outside influences are not at work, we get the idea of the working of the Brahmanical *varna*-polity. From these customs we get the idea as to how the status of a social group can be changed, how the creation of an 'untouchable' caste can take place by the fiat of a King.

From an analogy of the custom prevailing in Nepal, one may say that it is plausible that the "untouchable" Hindus of Bengal excepting the aboriginal castes, might have been the former Buddhists or the followers of tribal religions of their own.

41 "Kulinism" is a hereditary higher social rank conferred on some families only within a caste. This is said to have been established by Raja Ballala Sena and, it is hardly peculiar to Bengal. The historians of to-day are denying this fact as there is no historical data for this assumption.

## CHAPTER XIV

### Authoritative Source of Ancient Hindu Law

It is seen everywhere that in the first tribal stage of man some customs originate in their midst. Again, some usages are fixed for tribal interchanges. Later, these are regarded as the customs and usages of the tribe. Ethnologists say that the fixed rules which direct the conduct of man are called the custom, and the rules directing the peaceful economic interchanges are called law. Man when adopts identical or common peaceful means of interchanges, creates also rules or laws of exchange.<sup>1</sup>

This is the general ethnological rule, and by means of this rule we see that amongst the ancient Indo-Aryans certain customs and laws were developed. Their customs were called *Lokachara* ( custom of the people ); and besides these, there were religious customs and ethics as well as religious tenets ( *Dharmashastras* ). Nowadays, it is also seen, that they had royal laws or laws concerning politics ( *Arthashastra* ).

It is said that the Hindu Law is based on *Sruti*, *Smriti* and permanent customs of the people.<sup>2</sup> The Hindus say their Law is of divine origin.<sup>3</sup> Hence State is under this law, as the king is obliged to follow this law. But the king being the Judge as well his judgment used to be accepted by the litigants. Hence, the latter-day annotators opined that in some matters the regal decision was obligatory like divine law, if it be not objectionable to the latter.<sup>4</sup>

1 'Max Schmidt':—'Völkerkunde' p. 232.

2 Golap Ch. Sarkar Sastri : "A Treatise on Hindu Law" ; Molla :—"Treatise on Hindu Law" of 8.

3, 4 Sastri *op. cit.*, pp. 13, 13.

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3, 4 Sastri *op. cit.*, pp. 13, 13.



But those who are not in agreement with this orthodox Hindu view, say that the customs and usages of the forgotten past become the basis of law, and these are called the unwritten laws of India. These being the customs of the majority of the people (*Lokachara*) may be called the "Common Law" of the country.<sup>5</sup> Late Golap Chandra Sastri said, it is true that in the Hindu period customs were acknowledged as legal, for this reason, the questions of law of Inheritance, Marriage etc. were not completely territorial.<sup>6</sup>

Sastri said that the customs dealing with the conduct of life are regarded as unwritten divine laws. Manu and Yagnavalkya said *Sadachara* (good conduct) is legally acceptable. Some have used the word *Sistachara* (polite conduct) instead.<sup>7</sup> But according to some scholars of ancient *Smritis*, this good or polite conduct was confined within the customs of Aryavarta; while others said that it was confined in the 'Dharmashastras' as the conduct (*achara*) of the learned, though the businessmen, architects etc. were bound by their customs. But immoral customs are outside this law. Hence difficulty arises in the present-day Law courts regarding this matter.<sup>8</sup>

There are differences of opinion amongst the annotators of the *Mimamsashastra* in the matter of forms of customs and usages. Some said, that the custom is beneath the *Smriti*, and in the case of the conflict between the two, the *Smriti* will be upheld. But in the present-day courts customs are upheld as more valid than the *Smriti* as "under the Hindu system of law, clear proof of usage will outweigh the written text of the law."<sup>9</sup>

In the High Courts of British-India custom is accepted as the final law, there it has been said, that 'custom' having prevailed for a long time in a particular family or a region

5, 6, 7 Sastri *op. cit.*, pp. 13-14, 14, 25.

8, 9 Sastri: *op. cit.*, pp. 26-28.

has acquired the force of law.<sup>10</sup> The opinion of the German Jurists regarding the force of custom is the same.<sup>11</sup>

Now, according to Sastri, the definition of 'custom' is, that it is a *rule* which being prevalent in a particular family, or particular group of people or a particular region has acquired the force of law.<sup>12</sup> Again, custom is divided into (1) regional, (2) class (3) family.<sup>13</sup>

This is the final opinion of the present-day Jurists and the courts of India regarding the origin of the Hindu law and its working force. But we must appraise this matter from sociological angle of vision because, like 'the Tortoise at the heel of Achilles' the big *Smṛiti*-texts are always after us !

The Brahmanical priest-craft claims even to-day that the *Dharmashastras* of the Hindus are the real Law-books, the state is bound by them and the priests are the exponents of the same. But the present-day historians have discovered that there were another class of legal books called "*Arthashastra*." Of course, these were also written by the Brahmins<sup>14</sup> hence class-character is also to be found in them. Even Kautilya was not free from it.

By reading the *Dharmashastras* and other Brahmanical religious literature one would likely get the impression that, as the spirit of the priesthood haunted every department of life, and as priestly interference was to be found in every sphere of activity, and as the priesthood illustrated through various stories in their religious books, that the kings were under their religious control and the ruling class was below them in social status, therefore the Hindu state was a religio-political state

10, 11. 12 13 Sastri : *op. cit.*, pp. 26-28.

14 That besides the Brahmins, some of the Buddhists wrote books on politics is to be seen in the case of *Maṇurakṣita*, the son-in-law of emperor Dharmapala of Gaur. His book on Political Economy and Ethics has been translated and catalogued in the Tibetan Tangyur.

*i.e.*, religion was the main-spring of all the actions of the state. But the historians have come to the conclusion that Hindu state was never a theocratic one.<sup>15</sup> The Hindu state even in the days of Brahman rule cannot be said to have been a priest-state. The Brahmanical version that the priests were the first Estate in the Hindu state and that state existed for their welfare will vanish by making a comparative study of the books of the other *rival* religious sects. In this matter, we see that in the writings of the Jainas and the Buddhists which were mainly written by the Kshatriyas we find another version of the Hindu social condition. But unhappily at the same time, we do not get the views of the Vaishyas and the Sudras regarding their condition in the social polity. The Sudras forming the majority of the Hindu population have not as such, left any record of their views regarding the social-polity in which they lived. If they did write anything, they wrote as the members of some dissenting sects. It seems, that in the Brahmanical polity, being suppressed and being deprived of learning, the Sudras could not have left any version of their attitude regarding the Hindu Social Polity. And when some of them rose as rulers, they fell under the sacerdotal influence to make any innovations in favour of their own class. It is a fact in Indian history that the monarchs thought of themselves and their families only. They did not think in term of the nation. Hence the political history of India has always been the history of the dynasts. Those who so long by reading the *Dharmashastras* written by the Brahmans considered themselves to be completely orientated in the matters pertaining the manners, customs, usages and laws of the Hindus are, since the discovery of the book written by Kautilya,

15 Vincent Smith—"Early History of India"; B. K. Sarkar—Political Institutions and theories of the Hindus" p. 168.

busying themselves with the thought regarding Hindu State-law. Jolly says, the *Smritis* were written by the Brahmanas for their own use, and in these books their class-demands have been clearly expressed. The Kshatriyas appear according to them as the next privileged class standing next to them. But the greater part of the population who are the Sudras, occupy so low a place in the society, that they did not consider it worth while to deal with their manners and legal customs. Again, there are discrepancies due to differences of local customs and the views of different schools. Jolly<sup>16</sup> again says, that one should not forget that the *Smritis* are pure private works and cannot be put in the same grade with the law books of other nations.

Now we see that we have had two sets of codes : *Dharma-shastra* and *Arthashastra*, and which of them was regarded as the code of the State ? Enquiring about this problem Jayaswal asked the question, "Then, where were the real and regular civil and criminal laws of the country ? My answer is, they were in the *Arthashastras* or the Codes of Administration."<sup>17</sup> Then he says, "The Secular laws or king's laws in the *Sutra* period were different from the *Dharma* law. They were to be found in an independent class of literature—the *Arthashastra* ... The *Dharma* law ... cannot be treated as the real or the main origin of Hindu law. But in the 'Manava Dharmashastra,' for the first time, we find the 'Dharmashastra' invading upon and appropriating the province of the *Artha* law and making the latter only an appendage to its own system. The reason, was ... that the sacerdotal power became also the political power in the Country. The law of the politician, therefore got mingled with the law of the sacerdotalist."<sup>18</sup>

Thus it is open to reason that the '*Artha* Code' was the

16 Jolly—'Recht und Sitte' p. 45.

17, 18 Jayaswal—'Manu and Yagnavalkya' pp. 13, 17, 3.

original royal Code as is evinced by the fact that while all the 'Dharma Codes' have prohibited the death penalty and corporal punishment to the Brahman, Kautilya's 'Artha Code' has not spared him in the case of corporal punishment (4.8) and in the case of sedition against the king, it has ordained death penalty for him (4.11), and for some other heinous crimes it has made all *varnas* (naturally it includes Brahman) liable to a hard corporal punishment (4.13). Hence it can be accepted as fact that 'Artha Code' had been the original code of the Indo-Aryan State, and 'Dharmashastra' literature "recognises the authority of the 'Arthashastras'."<sup>10</sup> But on the other hand, some present-day Sanskrit scholars quoting "Vabishya Purana" opines that wherever, conflict arises between 'Dharmashastra' and 'Arthashastra,' the interpretation of the 'Arthashastra' should be rejected and the sense of 'Dharmashastra' should be accepted."<sup>11</sup> But as *Vabishya Purana* like the other *Puranas* were written or re-edited in the period when Brahmanical superiority over others were assured (it is said, it is still being written as it deals with the future!), naturally it voices the opinion that the 'Dharmashastras' are superior to the 'Arthashastras.' Now the question that comes up is about the ultimate source of the law. Manava Code says, "General's post, kingdom, the power to make criminal law (*Danda*), domination over lands, are to be vested only to those who are versed in the Vedas" (12.100). Again, "Yagnavalkya ... does not count the king among the sources of law, yet, he recognises law made by kings."<sup>12</sup> But we have seen in the Mauryan epoch that Asoka promulgated different laws establishing equal treatment of all subjects in the matter of law and punishment. In this

10 Jayaswal—'Manu and Yagnavalkya' p. 3.

20 Prof Satyakanta Vachaspati: "The Principles governing the administration of criminal Law in ancient India..." (In Bengalee) p. 136.

21 Jayaswal—*Ibid* p. xxiii.

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Further, we see that the 'Dharmashastras' sought the help of the king to enforce the penance laws pronounced on the accused. Again Pandit Vachaspati proves that both the State punishment and the punishment according to the 'Dharma-shastra' i.e., the punishment of Penance, can be said to be included in the ancient Criminal law of India, as none but the king could pronounce judgment on the serious offences which would culminate in the penalty of death.<sup>22</sup>

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22 S. Vachaspati—*op. cit.*, pp. 13-14.

23 Jayaswal *Ibid.* p. 5.

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19. Jayaswal—'Manu and Yagnavalkya' p. 5.

20. Prof Satikanta Vachaspati: "The Principles governing the administration of criminal law in ancient India..." (In Bengalee) p. 136.

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22 S. Vachaspati—*op. cit.*, pp. 13-14.

23 Jayaswal *Ibid.* p. 5.



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19 Jayaswal—'Manu and Yagnavalkya' p. 5.

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<sup>22</sup> S. Vachaspati—*op. cit.*, pp. 13-14.

<sup>23</sup> Jayaswal *Ibid.* p. 5.

the eve of receiving the punishment refuses to make penance then he should be branded (Yagnavalkya 270, Mitaksara).<sup>24</sup>

But at the same time the Learned Pandit<sup>25</sup> says that some say this opinion cannot be held as universal, as according to them the offender can get his release by taking either the royal punishment or by making the penance. There is the third opinion which says, "The offender being brought before the king, royal punishment and penance, both are applicable to him. But, repenting if he appears before royal presence, then either of the two punishments will be applicable to him (*Vabishya Parana*)." Thus there are various opinions on this matter, and the only thing we glean out of these discussions is, that apart from the royal law there was a sort of social laws with the authority to inflict social punishments known as Penances. These social judgments of penances were administered by "Parisad"<sup>26</sup> (Learned body) which used to be acknowledged by the King.<sup>27</sup>

Thus it is clear that there were two sorts of punishments : (1) King's punishment and (2) Penance. Vachaspati opines, that penance falls under 'Dharmashastra' and not under 'Arthashastra.' But we know that Kautilya in his 'Arthashastra' speaks of offences against the society and the penances for them. But he admits that, on the other hand, there are proofs (Devala—"Prayaschitta-Viveka") that in the cases of "great sins" inspite of the Learned Body's power to pronounce judgment, the king had to be present to administer justice. As an illustration for the elucidation of this point, Pandit Vachaspati says "Killing of a Brahman is counted as one of the great sins, and amongst the royal laws of punishment 'great sin' is an offence. This being mentioned as falling under Penance, it seems that punishments both Royal and Social were mixed up with each other and royal Verdict was above the social punishment ... Further, it is

24, 25, 27 Vachaspati pp. 4-5 ; 12.

26 Jolly "Hindu Law and Custom" pp. 294, 295.

to be noticed that in those serious offences for which the royal punishment was death, the 'Learned Body' could not pronounce the death sentence. It was not possible to pronounce death penalty without the king".<sup>28</sup>

From all these discussions we gather that the King's authority was the final law. Hence, the State or the Civil Law was above the canon or the priestly law, and the former was authoritative.

Now, let us enquire about the law-court. We have already seen in the above discussion that there was no separate court of justice for the Brahmans only. The "Learned *Sabha* or Body" was a social committee to settle questions. It was not free from the control of the king. Perhaps it was something like the caste-*Panchayet* that exists amongst some castes even to-day. Hence it can be said that there was no Ecclesiastical Courts like those of the Middle of Europe to try the cases of the priests and religious matters in general.

Then, we come about the formation of the Court. Sukra says—<sup>29</sup> "So the king should decide the cases according to the *Shastras*<sup>30</sup> (5.2.2). Then he says, "The king should attentively look after laws ... according to the Dictates of 'Dharma-shastra'—in the company of the Chief Justice, *Amatya* (minister), *Brahmana*, and Priest"<sup>31</sup> (4-5-9). While, Brihaspati says that the king should appoint seven or five or at least three men to form the Court. Besides these, a Brahman, the priest, the ministers and others could be present there unofficially. In case

28 S. Vachaspati *op. cit.*, 13-14.

29 *Sukraniti* must be comparatively a modern book. It gives the list of feudal hierarchy and an account of military organization that sound nearer to the modern age. Also it mentions Narada who flourished about 300-400 A.D. Kane says Brihaspati was a contemporary of Narada. All of them lived in the Gupta era, hence this bias for 'Dharmashastra.'

30 Sukraniti—translated by B.K. Sankar,

31 Sukraniti—*op. cit.*

the king swerved from his duty, then the other members had the power to persuade him from his action ; if this were not done by them then they themselves were accused of being guilty.<sup>32</sup> From these we find that the king assisted by his officials constituted the Court.

Now, the question comes regarding the code that guided the king in his judgment. From the account of the above-mentioned Brahmanical writers the impression is received that he was guided by the laws of the 'Dharmashastras.' But their number is legion. There must be some particular "Shastra" to guide him in his judgment. Many surmise that Kautilya's '*Arthashastra*' was the code of the imperial Mauryas, and Jayaswal thinks that 'Manava Dharmashastra' was the Code of the Sungas, and Yagnavalkya functioned as the Code of the Gupta empire. We have no definite proofs about these assertions. There is no proof that Manava Code has ever been the Code of some empire though it has always been accepted as the highest authority of Brahmanism, while *Mitaksara*<sup>33</sup> the commentary of Yagnavalkya written in the eleventh century has become the law of all the Hindus except in Bengal only in modern times.

In the matter of fixing a law text as a Code Jolly gives instances how law codes were promulgated in later Hindu times. Kings, ministers or some *Dharma* ministers wrote or had written some treatises on law which became the authority or the guide book of the State.<sup>34</sup> Thus all the *Smṛiti* or law texts that are extant to-day cannot be said to be the authoritative law books of the Hindus. Then, some of the comparatively liberal books such as Parasara, are said by the orthodox Brahmans to

32 S. Vachaspati: *op. cit.*, p. 130.

33 Hindu Law and Custom, p. 3.

34 Jolly— "Tagore Law Lectures" (pp. 27-28) quoted by Jayaswal, *op. cit.*, pp. 43-44.

be as non-authoritative in *Kali Juga*.<sup>35</sup> But it is evident that since the Brahmanical counter-revolution Brahmanical 'Dharmashastras' became more authoritative than any other texts.

Yet contrary to 'Vabisiya Purana,' 'Sukraniti' says: "The king should perform his duty by carefully studying the customs that are followed in countries and that are not mentioned in the *Shastras*, as well as those that are practised by castes, villages, corporations and families"<sup>36</sup> (4.5.89-91). Again, it says, "Those customs that have been introduced in the country, caste or race should be maintained in the condition, for otherwise the people get agitated"<sup>37</sup> (4.5.92-93). Then speaking of different parts of the country, it says "These people do not deserve penance and punishment because of their actions ... Those whose customs have been received by traditions and were practised by their ancestors are not to be condemned for following these customs, not others"<sup>38</sup> (4.5.101).

Thus we see that *Sukra* places custom as the final authority when there is a difference between the authoritative code and the local usage. Narada agrees likewise; "He boldly says that in case of conflict between 'Dharmashastra' and usages, the latter have to be followed as they are directly observed."<sup>39</sup> Further Katyayana says that as much care should be paid to the customary laws as the Veda.<sup>40</sup> Again, Baudhayana referring to the peculiar customs of the North and the South said that "For each (of those customs) the rule of the country should be (considered) the authority."<sup>41</sup> But Gautama of post-Vedic era has

35 The discussion came out forcibly during the widow re-marriage agitation started by Vidyasagar.

36, 37, 38 Sukraniti, p. 187-188.

39, Kane, *op. cit.*, p. 203.

40 Vide Jolly. pp. 3-4.

41 S. B. E. Baudhayana—translated by G. Buehler (I. I. 26)

said that "It is wrong that certain customs must be held authoritative in certain countries (even though opposed to Vedic tradition and *Smṛiti*)."<sup>42</sup> Again, at the beginning of the modern period Kumārila Bhaṭṭa the so-called rehabilitator of Brahmanism has shown the same kind of Brahmanical intolerance in this matter (*Tantra Vartika* 1-3).

It is noteworthy that while Gautama was intolerant of certain customs that were not in consonance with the Brahmanical system, the law-makers of the Gupta era and of the subsequent epochs were not opposed to local usages and traditions! The answer lies in the fact that the ancient polity of the Indo-Aryans that were being thrust on all peoples, underwent a great change in the Gupta and subsequent eras when Brahmanism was assimilating all local usages and amalgamating with various faiths.<sup>43</sup>

That the *Smṛiti* texts were not law books can be adduced from the contradictory customs and usages that were existing in the country side by side *viz.*, Baudhayana prohibits cross-cousin marriage (*Prasna* I. 23), and Brihaspati also condemned it (20); but it exists till to-day in south India where it has got the sanction of religion. Manu forbade the eating of fish to the Brahmans (10.92) but in '*Kurma Purana*,' eating of scaled fish after dedicating it to the gods and to the Brahmans (17.37) is spoken of. Again the Brahmans of Kashmir, Bengal, Mithila and Bombay Saraswat Brahmans eat it. To them it is a custom.

Following the practices of present-day India, we should be rather prone to believe that the customary law has been more important with the Hindus than the canon or religious law. For these reasons, the various customs that exist in different parts of the country in spite of the prohibitions of the Brahmani-

<sup>42</sup> Kane, *ip. cit.*, p. 17.

<sup>43</sup> This accounts for the all-embracing habit of present day Hinduism which is tolerant of all creeds and customs which do not threaten its existence!

cal polity are regarded as legal and not contrary to Hindu polity.

Taking all things in total, it can be said that custom has been the determining factor, and it has been the original foundation of the Hindu law. Jolly says, "The important position given in this respect to the customary law is thoroughly in conformity with facts and renders it a duty to those who deal with the history of law to search after the traces and survivals of the Indian customary law. This task is all the more important because the inclination to theorize and the class-interest have strongly influenced the Brahmans in their judicial literary activity so that their rules of law cannot be accepted without criticism."<sup>44</sup>

Hence, we can say that the *Smritis* of the Hindus were nothing but the pious wishes of the Brahmans embodying the demands of their class, and most of them were nothing but dissertations putting forth their claims. It is not to be supposed that all the harsh enactments against the Sudras and all the threats of the "lynch laws" that are to be found in the *Smritis* were in actual operation in everyday life. This would have certainly led to mass-revolutions of the Sudras who always have formed the majority of the Hindu Society, and who certainly did not take kindly to the Brahmanical polity as evinced in their change of religion in different epochs of Indian history. But, the fact is that in the beginning, the State and the Church combined to exploit the masses and for this purpose kept them ignorant and under subjugation.<sup>45</sup> Then taking advantage of the situation, the Brahmans have written literature putting forth their claims. The masses being under subjugation and being kept illiterate have been taught to look to the Brahman-priests as the

<sup>44</sup> Jolly: 'Hindu Law and Custom,' pp. 3-4.

<sup>45</sup> This accounts for the advocacy of stringent measures and dis-enfranchisement of the Sudras that are to be found in all the Brahmanical texts.



(gods on earth), whose words are to be respected on every occasion. Thus the Sudras and the non-Brahman classes suffer from the psychology of inferiority complex which has been ingrained in them in the name of religion. This has led them to be intellectually benumbed and the soul in them has been killed, so that for thousands of years they are subjected to exploitations and oppressions of all sorts. This accounts for the strange phenomenon that is to be seen in the Indian history that a handful of men always dominate over the majority.

## CHAPTER XV

### Land Legislation in Ancient India

The present-day land question in India is a most politico-economic question. It has induced the scholars to delve into the ancient Indian literature to find out the original condition of the Indian land-tenure. And lately the provincial Government of Bengal instituted a commission popularly known as the "Floud Commission" to make investigations regarding the land-legislation of Bengal. The proceedings of the Commission have come out as the "Report of the Land Revenue Commission 1940."

In all these enquiries regarding the land tenure of India, the investigators dealing with the past history, have investigated the ancient Sanskrit texts only. And their conclusions are based on the expositions of these texts.

#### Ancient Records

The subject-matter of the ancient records can be summarized as follows :

The principle of *private property* has been recognized since the days of the Rigveda. The same text testifies the right in private property in land (VII. 49.2). The Rigveda also mentions separate plots of private lands (*kshetra*) with boundaries of demarcations (X. 33,6 ; III, 31,15). This kind of land is also subject to inheritance (IV. 41.4).

Again, the Rigveda does not speak of *Communal holding* in land. As Keith and Macdonell say, "There is no trace in in Vedic Literature of communal property in the sense of ownership by the community of any sort, nor is there mention of communal cultivation."<sup>1</sup>

Thus we find that there were private holdings. These holdings used to belong to a family called *kula* the head of which was called the *kulapa* (X. 179.2). Thus the holdings were *single-holdings* belonging to a family.

As regards tenure, "The village, was based on the individual tenure of land. It generally meant, tenure by a family rather than by an individual person. The village itself was the aggregate of families called *griha* or *kula*."<sup>2</sup> The next question that comes up is the position of the king in respect of land tenure of the State. We see in the Rigveda that the kingship has already developed in that age. But post-Vedic history tells us that tribal republics existed side by side in different parts of Northern India.

As regards the legal position of the king in this matter, Dr. Mukherji says, "It is difficult to ascertain the exact kind of legal relationship that existed between the individual proprietor of land and the Sovereign of the State. The expression *grama-kama* is frequently met with in later Vedic works Taittiriya Samhita II, 111, 2 ; 3,2 ; Maitrayani Samhita, II, 1,9) probably to indicate the applicants for villages or lands, thus pointing to the sovereign's prerogative over villages ... These land-grants of the king created the landlords and depressed the position of the actual cultivators of land who were thus turned into tenants. The king made these land-grants as the owner of all the land of his territory."<sup>3</sup> Here we see that with the development of kingship the king's prerogative has extended itself on the proprietorship of the lands in his territory.

Then in the post-Vedic Age, in the Buddhist texts we find that cultivable land of the village consisted of individua

2 Dr. R. K. Mukherji: 'Indian Land-system' in Report of the Land Revenue Commission," Vol. II p. 132.

3 R. K. Mukherji, *op. cit.*, p. 132.

holdings, each family having a holding of its own.<sup>4</sup> Again, "village communities were made of individual peasant-proprietors whose rights to land were limited only by the demands of the State."<sup>5</sup>

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Thus we find that there were private holdings. These holdings used to belong to a family called *kula* the head of which was called the *kulapa* (X. 179.2). Thus the holdings were *single-holdings* belonging to a family.

As regards tenure, "The village, was based on the individual tenure of land. It generally meant, tenure by a family rather than by an individual person. The village itself was the aggregate of families called *griha* or *kula*."<sup>2</sup> The next question that comes up is the position of the king in respect of land tenure of the State. We see in the Rigveda that the kingship has already developed in that age. But post-Vedic history tells us that tribal republics existed side by side in different parts of Northern India.

As regards the legal position of the king in this matter, Dr. Mukherji says, "It is difficult to ascertain the exact kind of legal relationship that existed between the individual proprietor of land and the Sovereign of the State. The expression *grama-kuma* is frequently met with in later Vedic works Taittiriya Samhita II, 111, 2 ; 3,2 ; Maitrayani Samhita, II, 1,9) probably to indicate the applicants for villages or lands, thus pointing to the sovereign's prerogative over villages ... These land-grants of the king created the landlords and depressed the position of the actual cultivators of land who were thus turned into tenants. The king made these land-grants as the owner of all the land of his territory."<sup>3</sup> Here we see that with the development of kingship the king's prerogative has extended itself on the proprietorship of the lands in his territory.

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### Foreign Records

The ancient European writers like Diodorus and Strabo said that in India all land was the property of the king.<sup>9</sup> This is based on the report of Megasthenes who according to a modern European writer Manohan is probably misunderstood by the former writers.<sup>10</sup> But we see that the statements of the above two classical writers is more in consonance with the saying of Kautilya.

### Epigraphic Records

The earliest epigraphic Records so far discovered was from the time of Asoka (third century B. C.). The mandates or the grants of the kings and the personal eulogies of some monarchs or distinguished persons called *prasasti* used to be inscribed on stones or copperplates as registering the deeds. These are being discovered all over India in galore. Here, some of these inscriptions are quoted as random samples from each epoch of the Hindu period of Indian History. The Hindu period here investigated extends from the reign of Asoka in the third century B. C. to the last days of Vijayanagara empire in the sixteenth century A.D.

Maurya grant circa B. C. 300.—In the Rumminidei Pillar<sup>11</sup> edict Asoka says, "(He) made the village of Lummini free of taxes and paying (only) an eight-share (of the produce)." Here we see that the king instead of exacting the usual rate of one-sixth of the *nibara* (produce of the land) remitted it to one-eighth. In this matter the epigraphist Dr. Hultzsch has said, "In the case of village of Lummini bureaucracy prevailed against charity."<sup>12</sup> The language of the edict implies that Asoka could not make

<sup>9</sup> Quoted by R. L. R. C. B., *op. cit.*, p. 7.

<sup>10</sup> Manohan : "Early History of Bengal," p. 153.

<sup>11</sup> "Corpus Inscriptionum Indicarum," vol. I, 1925. p. 165

<sup>12</sup> *Op. cit.*, p. 165.

Lummini, the birthplace of Buddha a tax or rent-free village. Here, some prerogative of the king over the village is discernible. But the proprietorship is not clear in this edict though the remission of the tax or the rent of the village by the king may imply it.

Post-Maurya grant (C. 150 B.C.).—In the Hathigumpha Inscription<sup>13</sup> of Kharavela of Kalinga, the king speaks of exempting the masons engaged by him from landrevenue (L. 13). Here the prerogative of the king for levying tax or land revenue is again discernible.

Andhra grant (c. A.D. 300).—The Inscriptions in the caves at Nasik<sup>14</sup> belonging to Siri Pulamayi Vasithiputta says, "The village of Sudisana has been given to be owned by the Bhikshus of that fraternity ... the Bhaduyaniyas dwelling in the king's caves to produce a perpetual rent for the care of the cave meritoriously excavated—in exchange for this gift—the village of Sudasana we give the village of Samalipada ... and to this village of Samalipada we grant the immunity belonging to monk's land."

In another inscription,<sup>15</sup> the king Gotamiputra of the same line says, "we have here on Mount Tiranha given to the mendicant ascetics dwelling in the cave ... a field in the village of Kakhadi, but the village field is not tilled, nor is the village inhabited. Matters being so, that royal village of ours, which is now here on the limit of the town, from that field we give to the mendicant ascetics of Tiranha one hundred (100) *nivartanas* of land and to that field we grant immunity." Here it is seen that the king is the owner of the village, and perhaps it is situated on royal domains.

Gupta grant (A.D. 320—500).—The Inscription<sup>16</sup> of Maharaja

13 *Epigraphia Indica*, vol. XX, No. 7, p. 88.

14 *Ep. Ind.* vol. VIII, No. 3, p. 67.

15 *Ibid.*, No. 5, pp. 73-74

16 *C. I. I.*, vol. III, No. 21, p. 95.

Hastin feudatory of the Gupta emperor reigning in the period of A. D. 476. It records the grant of a village to some Brahmans. Here the proprietorship over the village is implied, otherwise he could not have granted the village to others.

Gupta grant.—In the Karitalai copperplate inscription<sup>17</sup> of Maharaja Jayanatha in the Gupta period, the grant of a village to a Brahman is recorded. The donor issues a command to the cultivators beginning with the Brahmans, and to the artisans of the village intimating them of the grant. Here also, the proprietorship of the king is manifest, otherwise he could not have granted a populated village to another.

In the Baigram copperplate inscription<sup>18</sup> of the reign of Kumara Gupta I (A. D. 447-48) found in the Bogra district of Bengal, the inscription records the purchase of three Kulyavapas of revenue-free *khila* (fallow) fields and two *dronas* of *sthalavastu* (homestead) land belonging to the state and lying in two localities by two persons named Bhogila and Bhaskara. The administrative officer in charge of the district court (*vishay-adhikaran*) was approached by the two intending purchasers of the State land. The application was granted and the land was sold to them, in accordance with the decision of the Government record-keeper (*pustapala*) arrived after the land was properly surveyed and measured by the means of the *nalas* (measure-rod) in use there. These persons were directed to maintain the grant on a *Permanent Endowment* according to the principles of *akshaya nivi*.

Again in the five Damodarpur copperplates<sup>19</sup> Inscriptions of the Gupta period discovered in Bengal we find the sale deeds as recorded in the plates register the confirmation of the sale of the state land transacted between Government and the

17 *Op. cit.*, No. 26, p. 118.

18 *Op. cit.*, No. 13, p. 79.

19 *Ep. Ind.*, vol. XV, No. 7, pp. 113-114.

purchasers who paid the prices at the usual rate prevailing in respective localities. In these plate-inscriptions the first one was granted according to *nivi-dharma* (perpetual endowment). In the second plate-inscription the grant was made by destroying the condition of *aprada-kshaya* (non-transferability). In the fifth plate-inscription the applicant a *kulaputraka* (nobleman) from Ayodha, asks for sale of land according to the custom of *aprada* (perpetual endowment).

In these inscriptions of sale-deeds we find the State selling land with different forms of tenures at a fixed rate of the locality to the applicants. In these plates the proprietorship of the king over the land is distinctly clear.

In the Dhanaidaha copperplate inscription<sup>20</sup> of the time of Kumar gupta I (A.D. 432-33) found in Bengal it is recorded that the local Government was approached by some one to purchase one Kulyavapa of cultivated land by paying the price at the usual rate prevalent in the district of Khadapara. The applicant wanted to buy the land according to the custom of *nivi-dharma-kshayena*, i.e., by destroying the *nivi-dharma*. Here, the applicant asked for land with the tenure of the nullifications of the custom of permanent endowment, i.e., with the right of alienation. His prayer was granted by the State. Thus in the Gupta inscriptions it is clearly seen that the ownership of the land belonged to the King.

Post-Gupta grant (A.D. 571-572).—In the Maliya inscription<sup>21</sup> of the Maharaja Dharasena II of Valabhi, the copperplate records the grant of a village to a Brahman. In this grant the description of the village is also given. It mentions the name of a cultivator called Botaka, irrigation well, the name of the village elder (*mahattara*) Vidikinna, and common

20 Ep. Ind., vol. XVII, No. 23, p. 348.

21 C. I. I., vol. III, No. 38, p. 167.

land called Bhumbhusapadraka. Amount of the holding of Botaka is also mentioned as one hundred *padavartas*.<sup>22</sup> In this record we see that a village containing cultivating tenants was gifted by the king to another person. It thus created an intermediary interest between the suzerain Lord and the cultivator of the soil.

Vakataka grant (C. A.D. 300).—In the Siwani copperplate inscription<sup>23</sup> of Pravarasena II, the grant of a village by the king is recorded.

Again, in the Chamak inscription<sup>24</sup> of Pravarasena II. the grant of a village named Charmanika measured by eight thousand *bhumis* (a technical land measure, its value is unknown now-a-days) given to one thousand brahmans of various *gotras* is mentioned. In the grant the following privileges are mentioned. "It is not to pay taxes, not to be entered by the regular troops or by the umbrella-bearers, does not carry with it (the right to) cows and bulls in succession of production (*aparampara go balibardha*—a technical term the meaning of which is not clear), or to the abundance of flowers and milk, or to the pasturage, hides and charcoal, or to the mines for the purchase of salt in a moist state; it is entirely free from (all obligation of) forced labour, it carries with it hidden treasures and deposits." Thus it is manifest, that absolute right over the village is not bestowed by the king to the donees. It is a partial grant.

Vardhana (A.D. 606).—In the Madhuban copperplate inscription<sup>25</sup> of Harsha grant it is recorded that he addressed the following to his great feudal barons, the great kings who were assembled in the village of Somakundika as follows: "Be it

<sup>22</sup> The measurement is unknown, according to the epigraphist it is likely ten thousand square feet. *vide—op. cit.*, p. 170.

<sup>23</sup> <sup>24</sup> *Ibid.*, *op. cit.*, No. 56, p. 250; No. 55, p. 242.

<sup>25</sup> *Ep. Ind.*, vol. I, No. II, pp. 68-74.

known to you that, having considered that this village of Somakundika has been enjoyed (*bhuktakah*) by the brahman Marathya on the strength of a *forged edict*, having therefore broken that edict and having taken (the village) from him I have granted it, up to its boundaries, together with the *udringa* (an old technical term), ... endowed with all immunities ... (with the right of) inheritance by sons, and grandsons (for a period) as long as long as moon ... according to the maxim concerning land unfit for tillage (*bhumichidra*) to Bhatta Natasamin and to Bhatta Sivadevasvamin as a duly accepted *agrahara*."

Here the possessor of the village was ejected by the king as he had no proper right to enjoy it and a new grant was made in favour of another two persons. In this record, the King's proprietary right over the village is clearly manifested.

Natha grant (A.D. 650).—In the Tippera Copperplate Inscription<sup>26</sup> of Lokenatha of Bengal, it is recorded that he "Issued this document through his *sandhivigrahika* (minister of war and peace) Prasantadeva and it records a grant of land to his own Brahmana Mahasamanta Pradoshasariman." The latter prayed for a grant of land for the maintenance of the daily worship of a god and for the settlement of a hundred Brahmans versed in four Vedas. Land was given in the forest region. Here it is to be seen that the forest land also belonged to the king who was a *samanta*, i.e., a feudatory to some suzerain as it is narrated in the same document. Thus we see that in the feudal system, the right of possession and enjoyment of land by the strength of tenure descended in heirarchical way.

Rashtrakuta grant (A.D. 821).—In the Surat Copperplate Inscription<sup>27</sup> of Karkaraja Suvarnavarsha of the Guzerat Rashtrakuta family we find the charter containing the grant of a field to a Jaina establishment of Navasarika. It says, "And

<sup>26</sup> Ep. Ind., vol. XV, No. 19. p. 303

<sup>27</sup> Ep. Ind., vol. XXI, No. 22, p. 135-147.

now that king ... who is the chief of great feudatories, notifies ... to all the provincial governors (*rashtrapatis*), district officers (*vishayapatis*), village landlords (*gramapatis*), Village headmen (*gramakuta*), revenue clerks and their subordinates (*yukta and niyukta*), the officers among the village elders (*mahattaras*) who were the descendents of the (original) colonisers (?) of the villages (*vasanaka mohattaradhikarin*) and other officers concerned ..while this field is being enjoyed or caused to be enjoyed, tilled or caused to be tilled or assigned (by the donee or his successor while) leading the life proper for a (Jaina) preceptor, nobody, whatsoever is to cause any hindrance" Here the grant of the field is conditional.

Chalukya grant (C. A.D. Seventh Century).—The Kapparam Inscription<sup>28</sup> of Pulakesin II records the grant of a field of eight hundred (*nivartanas* of land) to a Brahman.

In the eleven land grant inscriptions<sup>29</sup> of the Chalukyas of Anhilvada we find that the inscription no. 1 records the grant as thus : "I have given confirming the gift by an edict and a libation of water ... the above-mentioned village up to its boundaries, together with its right of pasturing cattle, with the right of fines and deciding cases arising out of ten flaws (sins) to Malanathadeva ... the people dwelling there shall obediently give to this (deity) everything according to custom, the shares of produce, taxes, gold and the like."

Valabhi grant (A.D. 573).—Amongst the unpublished Valabhi grants the Bhavnagar plates of Dharasena III records the grant of lands<sup>30</sup> to a Brahman donee. The properties of the grant consist of (1) 100 Padavartas of land, ploughed by *kutumbi gimiyaka*, (2) a ploughed field of *kutumbi kapardiyaka* in the North-west quarter of the village, (3) in the same village in

28 Ep. Ind., vol. xviii. No. 27, p. 257.

29 Indian Antiquary, vol. vi, 1877. pp. 192-193.

30 Ep. Ind., vol. xxi. No. 30. B, pp. 181-82.

its south-east quarter an irrigation well with an area of eighteen *padavartas*, dug by *kutumbi kapardiya* of the same village, (4) similarly, in the village Hastipridaka seventy superfluous (*ulbana*) *padavartas* of the field of *kutumbi nagilaka*.

In this grant we find that lands cultivated by peasants have been given to the donee as his properties. In this matter, the king is shown to be not only the master of the properties that he gave away to another, but he also created an intermediary interest between himself and the peasants in the matter of the enjoyment of the revenues accruing out of the produce of the lands.

Kalachurya grant (A.D. 609-10).—The Sarsavni plates of Budharaja of the family of the Kalachuris records the grant<sup>31</sup> of a village to the Brahman Bappasvamin. It says, "Be it known to you! For the increase of the religious merit of our parents and ourselves we have granted the village ... With the *udranja* (tax on occupancy tenants) with the *uparikara* (tax levied on temporary tenants), with all imposts and taxes, exempt from all duty, forced labour and *pratibhedika*, according to the maxim of *bhumichchidra*, not to be entered by irregular and regular soldiers." In this grant the king surrenders some of his prerogatives over the village to the donee.

Inscription of a grant from Guzerat (A.D. 540-41).—The Sunao kala plates of Sangamasimha records the following grant:<sup>32</sup> "Om Hail! From Bharukachcha - the *mahasamanta*, the illustrious Maharaja Sangamasimha informs all his (subordinates, *viz.*, *rajasthaniyas*, *uparikas*, *kumaramatyas* ... *kulaputras*, as follows: The village has been granted by us ... as long as the moon and sun endure .. according to the maxim of *bhumichchidra* to be enjoyed by the succession of sons and sons' sons ... to the residents Bharukachcha, *viz.*, the Brahman

31 Ep. Ind., vol. vi, No. 29, p. 297.

32 Ep. Ind., vol. x, No. 16, pp. 75-76.



Anantadatta, Prajapatisarman, Bhanudeva ... wherefore nobody should make any obstruction to the Brahmans, while they enjoy ( the granted land ) according to the rules relating to *brahmadeyas* (gifts to the Brahmans) and *agraharas* (villages gifted to the Brahmans) cultivate it, cause (it) to be cultivated and assign (it to others). And the inhabitants of that village should obey their (orders) and make over to them the customary *meya* (what is to be measured, a technical term), gold, and other revenues."

In this deed we find that a feudal prince donating a village to some Brahmans and assigning to them some of his prerogatives over the village. This grant clearly shows that the cultivators were not the proprietors of the land they tilled. There were intermediary interests between them and the suzerain power. This grant further shows the heirarchy through which the actual tillers of the soil, *i.e.*, the agricultural labourers had to get the cultivable lands.

(Gurjara grants (Sambat 346, 391).—Amongst three land-grants<sup>33</sup> from Sankheda, two belong to the Gurjara rulers of Bharoch. The donees of these land-grants were Brahmans.

Rajput grant (A.D. 1167).—In the Semra plates inscription<sup>34</sup> of Paramardideva the following is recorded: "He (King) ... exhorts and commands all the assembled,—the Brahmans and other worthy persons *viz.*, officials, husbandmen, scribes, messengers, physicians, elders—down to the Medas and Chandalas, of the following villages ... Be it known to you that the above villages, with their water and land, with their movable and immovable (belongings), defined by their boundaries, with that which is below and above the ground, with all past, future and present imposts (*adaya*)—entrance into them being forbidden to the irregular soldiers (*chata*) and the rest,

<sup>33</sup> Ep. Ind., vol II, p. 19.

<sup>34</sup> Ep. Ind., vol. IV, No. 20, pp. 155-156.

excepting all the following : the town of Madanapura and the ground belonging thereto ... as well a piece of land in Madanapura, measuring four ploughs (the property of the Latias) ..have been given by us—(these same villages having) formerly (been granted) by our grandfather, Madanavarmadeva ... to Brahmans emigrated from various *agraharas* of the Bhattas ; belonging to various *gotras*." The document at its close exhorts to the assembled persons thus : "Knowing this, you must bring to these (abovementioned persons) the shares (of the crop), enjoyments (*bhoga*), and everything else. Therefore, nobody shall cause any hindrance to these (donees) if they enjoy, cultivate, cause to be cultivated, give away, mortgage or sell these villages, together with their houses and walls, together with their gates of exit and entrance, together with all their plants ... together with their forests, fallows and treasure-trove, mines of iron and so forth, together with their cow houses, together with (all) other objects found within these boundaries, and together with the external and internal imposts. And the king, the royal officials, and the rest shall remit what would accrue to each of them."

In this grant the king is giving away all his prerogatives over the village to the donees. He is giving them perpetual right. The thing noteworthy in this document is that the same villages were donated by the king's grand-father before. It seems he renewed the grant. The renewal of the grant would not have been necessary if after the expiry of the grant the proprietary right has not lapsed to the king.

Bhaskarvarman's grant (C. A. D. 700).—Three plates known as Nidhanpur copperplate inscriptions<sup>35</sup> of Bhaskarvarman, the king of Kamarupa and a contemporary of emperor Harshavardhan, have been discovered at Sylhet (Assam). These

grants record that some *agrahara*-land was given to the Brahmans by a previous king named Bhutivarman, but the plate having been lost the land was liable to taxation, hence at the request of the Brahmans in question, Bhaskarvarman issued a fresh grant for them. Thus the grant says, "Let it be known to you (all) that the land of the *mayursalmal aghara* (grant to Brahmans), granted by issuing a copperplate charter by king Bhutivarman has become liable to revenue on account of the loss of copperplate. Having issued orders for making a copperplate grant the land has been awarded to the Brahmans who had been enjoying the grant already in the manner of *bhumichhidra* (exemption from assessment of revenue) so that no tax is levied on it."

In these inscriptions we find that the land granted as a revenue free one, became liable to renewal of taxation on account of the loss of the charter. This means, with the lack of proper testimonial, the land elapsed in the royal treasury. This is another example like the previous one that the proprietary right and its prerogatives belonged to the king.

Pala grant (C. A. D. 800-1100).—In the Kamauli inscription<sup>36</sup> of Vaidyadeva a feudatory ruler of Kamarupa under the Pala emperors of Bengal and Magadha, the grant of land under the *bhumichhidra* system was made to a Brahman named Somanatha. The grant was given with the right on land and on water within the boundaries, free from all taxation, and with the right to enjoy the forest roads and cowpaths as long as the sun and the moon last. In this grant like all the royal grants of free-gift, the donor waived away all his prerogatives from the land in question.

Sena grant (A. D. 1183).—In the Saktipur copperplate grant<sup>37</sup>

36 "Gauda Lekhamula, No. 11, pp. 137-246

37 Ep. Ind., vol. xxi, No. 37, pp. 212-213.

of Laksmanasena the king of Bengal, it is recorded that the king granted to a Brahman named Kuvera 89 *dronas* (an old measurement) of land. This grant was made in exchange of *kshetrāpataka*, which had been given by the previous king Vallalasena to a *gayal* Brahman named Haridasa on a previous occasion. When the mistake was discovered Laksmanasena annexed to the treasury (*koshthikritya*) the said six *patakas*, which were of equal value with the previous grant and made them over to Kuvera in exchange.

In this record we see the king granting land, as well as annexing land to the state and making it over to a new person. This indicates the proprietorship of the king over the land.

Eastern Chalukya grant (A. D. 633).—The Palimburu plate inscription<sup>38</sup> of the Eastern Chalukya king Jayaditya I records the grant of the king thus, "Be it known to you that we gave the village of Pullimburu as an *agrahara* and free from all taxes to Rudrasarman who was the previous owner of the village." It is clear that the lost ownership of the village was restored by the king, the donee became the intermediary link in the tenure system. The right of ownership over the village he got back from the king who was the ultimate proprietor of the land. This ownership would only mean the occupancy right and the rights to enjoy the immunities of the land.

Chola grant (C. A. D. 1000).—Rajaraja<sup>39</sup> of the Chola dynasty of Southern India issued an order which was inscribed on the northern wall of the stone temple of Vishnu at Ukkal, records that this order deals with the defaulters of land revenue or tax in the villages held by the Brahmans, Vaikhanasas and Jainas in the Chola, Tondai and Pandya countries. The villagers were empowered to confiscate and sell the lands on which no taxes have been paid for two full years.

38 Jour. Andhra Hist. Research Society, vol. iv, pts. 1—4. 1930.

39 South Indian Inscriptions, vol. III, pt. I, No. 2. p. 14.

In this order we find a clear indication of the king's proprietary right over the land.

Chola grant (C. A. D. 1100).—Another Chola record<sup>40</sup> of the reign of Vira Rajendradeva dealing with land was inscribed on the north-wall of Bilvanathesvara temple. It records that two royal officers met at Kanchipuram and called for the accounts of the village which belonged to the Tiruvallam temple. They suggested new items of expenditure. Therefore, a large committee assembled and made allotments from this revenue for various heads of the temple expenditure.

In this record we see that the royal authority extends to examine the accounts of the temple property and to allot new items of expenditure.

Tamil grant (C. A. D. 1100).—In the 25th regnal year of Rajarajadeva, the following record<sup>41</sup> was inscribed in Tamil on the south-wall of Jalasayan-deva of Mamallapuram. It records a new division of the land of the town of Mamallapuram, which was agreed upon by the citizens. It says, "The wet land, white (?) land, garden land, dry land and all other taxable (?) land of our town shall be divided into four lots of one hundred *manais* (one *manai* = 2,4000 sq. ft.) each. The *manais* (of) the land (included in) the contract of division into lots may be sold, mortgaged, or used for meritorious gifts."

In this record we find the example of a self-governing town. It also shows the will of the assembled adult citizens as mandatory, and the right of the citizens to redistribute their lands and to dispose it off in any way they like. This would make them owners of their lands. But the lands are also at the sametime taxable. Hence, the sovereignty over the land would lie elsewhere.

Tamil grant (Saka era 1160)—In the base of the north wall of

40 S. I. I., Vol. III, pt. I., No. 57, p. 114

41 S. I. I., Vol. I. pt. II, No. 40, p. 64.

Virinchipuram, the gift of Rajarajadeva is inscribed.<sup>42</sup> It records that, the king after receiving gold from Rama the Kerala gave to the Vishnu temple of *Chitrameri-Molaimandala* the village of Kumaramangalam as exclusive property. Also, "The trees overground ... including and rights, tolls, (the revenue for) one *vetti*, the small taxes (and) the large taxes for the village-police, the rice in Kartika (October-November) the unripe (fruit) in Kartika, and all other revenue in money, the tax on looms, the tax on shops, the tax on goldsmiths, the tax on oil mills, the tax on *ajivakas* (a non-Brahmanical sect), and all other revenues."

In this record we find that the King in exchange of gold made a gift of a village to a temple as its exclusive property, and he conferred various privileges to the temple. This signifies that the King was the proprietor of the land, and he delegated to the temple the power to enjoy the benefices accruing out of the village. This record contradicts the abovementioned Tamil record where the town seemed to the proprietor of the land. It seems the ultimate sovereign right was vested in the King who delegated it to various bodies as his tenants.

Chola grant (C. A. D. 1000).—On the south wall in the Madhuvanesvara temple of Tirukkalavur inscribed during the thirty-ninth regnal year of Parantaka I the record<sup>43</sup> registers the gift of land thus: "A palace maid-servant of the queen had purchased from Vaikundan Pandan of Kurrangudi, one of the landlords of this village, we the members of the assembly had this land cultivated (on the terms) *two to one* obtaining in this village. If we fail (to act according to) this decision, we (the members) of the assembly ourselves pay a fine of 100 Kalanju of gold."

In this record we see that the lands of the village were owned by more than one landlord, and the village-assembly was

42 S. I. I., Vol. I. pt. II, No. 59. p. 88.

43 S. I. I., Vol. III. pt. III, No. 110. p. 245.

not the joint-proprietor of the village lands. These landlords could sell land to an outsider who could make a gift of it. This land in turn was leased out for cultivation at the prevalent rate. The village-assembly stood as the guarantor of the deed. Thus we find in this case, the village lands were the private properties of the landlords and there were landless peasants who used to cultivate on the basis of contract by which two shares of the produce was assigned to the landlord and one share to the cultivator or *vice versa*. The term of the contract is not explicit present-day. In this transaction we find a hierarchy of tenure system by which the landlord used to lease land to the landless cultivators on contract basis. In this case, we find the *barga-dar* system as is called in Bengal. Naturally the question turns up as to the overlordship over these petty village landlords. Was it not the King of the land who was the ultimate proprietor of all the lands of the state ?

Chola grant (C A.D. 1000).—An inscription<sup>44</sup> during the reign of Raja Kesarivarman records the deed that the great Assembly of Velichcheri in Puliur-Kothan, having gathered in assembly without deficiency, sold land to the cultivators Indran and his younger brother. And the record further says that a written agreement was given by the assembly that the two tenants who cultivate this land (shall have) exemptions from free labour, etc. Again, the cultivator Indran and his younger brother granted on the some terms (the land) obtained in this wise from the members of the big assembly of our village, to Mahadeva (God Siva) of the temple in this village, for burning one perpetual lamp and for sacred offerings. The temple Brahmans in their turns bound themselves to the task by saying "We received this land. We shall burn the perpetual lamp and also present sacred offerings."

In this record we find the village-assembly selling land to the cultivators, who in turn are making gift of the same to the local temple deity. Thus it is clear that the land of the village was not a communal holding. There was no village-communism prevalent in the South as testified by this record of deed.

Ratta grant (A. D. 1204).—In an inscription<sup>45</sup> of the time of the Ratta prince Kartavirya IV of the South (Kanara), an assignment of land at Venugrama (Belgaum), on the *Sthala vritti* tenure was given. It is a form of holding for which payment was made in kind from the produce.

Chola grant—An interesting grant<sup>46</sup> of Parakesarivarman inscribed in the walls of the central shrine in the Umamaheshvaraswamin temple of Kaveri Rajapuram records the following facts: This record registers the grant of certain lands to the temple at Tiruvallam in Vennadu which had been constructed by the Queen Simbiyaar Modeniyar in the name of her husband. Prior to this, she is stated to have purchased lands from the assembly at Tirunallam to lay out a new flower garden for the temple. She got the lands exempted from payment of taxes. The king also granted lands for the upkeep of the garden. Further grants were made by the king for feeding the Brahmans. The king also ordered that specific amounts of gold and paddy collected as tax on the *devadana* lands of Tiruvallam, were to be deducted from the general revenue and the number of Brahmans be increased, and the additional expense being met from the remaining balance under a certain item provided for in the old regulations several officers legalised the grant by affirming their signatures.

The grant says thus: We (The Queen) declare that the two

<sup>45</sup> Ep. Ind., Vol. XII, No. 3 A, p. 17.

<sup>46</sup> S. I. I. Vol. III, pt. III, No. 151, pp. 307-311.



Veli of Kiladukurvilai land in Vennadu shall have its previous owners replaced and the tenants removed ; then it shall be a tax free *devadana* (gift to god) for the maintenance of the flower garden of Mahadeva ... These two villages thus (defined) ... (by) replacing its previous owners and removing tenants, were granted tax free as *devadana*."

The records of the grant when analysed will show that the queen had to buy lands from the village at the town assembly, and then to make a free gift of it by getting it legalised from the king. But the king made several grants of lands which he did not have to buy from the assembly. Thus, it is manifest that though the queen had to buy lands from the assembly, the king did not have to do it, hence he was the owner of the land. The assembly was intermediate link between the sovereign and the tenants of the village.

Again by granting the *devadana* as tax<sup>\*</sup> or rent free-land, the former owners of the land were replaced and the tenants were ejected. Thus, it is clear that the former owners of the lands did not have proprietary right in the land, and their occupancy right or permanent right of cultivation were denied. This right of replacement and ejection come from the sanction of the king only. Thus, it further points to the sovereign right of the king. He was the ultimate proprietor of the lands in the State.

Pallava grant (A. D. 735-770).—In the Haldirpur Copperplate inscription<sup>47</sup> of the Pallava Chief Gopaladeva it is recorded that the object of the grant was the equal share (*i.e.*, half) of the village Kasampalla along with certain incomes to Singitale-Panyale, a Brahman of the Harita *gotra*. The village had six hundred pieces of land. The grant was made in the presence of the minister, the priest, the chief clerk, the one

thousand (*Mahajanas*, i.e., Brahman assembly) and the six hundred (*Nadu*, i.e., non-Brahman assembly).

In this record we find that the king was the owner of the village and he granted the half of it to a Brahman. That means, henceforth the village would have two landlords. Naturally this would mean that the village was owned by the king under whom this Brahman was appointed as a tenant. This record shows again clearly that the South-Indian village system was not of communal village type. No village communism was extant there.

Vijayanagara grant (A. D. 1509-1529).—In the Piranmalai inscription<sup>48</sup> of Krishnadevaraya it is recorded that the object is to register the tax-free grant of the village of Metur by Pannambolanatha for offerings and worship to the god Nallamangaibagar. This grant was given by the chief in the reign of Krishnadeva

In this grant we find that a feudatory chief was granting a village to a temple. This chief was the owner of the village granted, and as such he had an overlord in the emperor of the Vijayanagara.

Vijayanagara grant.—In the two copperplate grants<sup>49</sup> of Krishnadevaraya it is registered that the king in the presence of the Virupaksha god granted a village to a Brahman named Attola Bhatta. The village was granted with the enjoyment of the eight items of proprietorship as a freehold to be enjoyed by the lord and his descendants as long as the moon and the sun subsist, with rights of gift, sale, mortgage, etc. by the illustrious Krishnadeva Maharaya.

This record clearly demonstrates that the king was the owner of the lands of the State and as such he made a free-gift of this village to somebody else.

48 *Ibid.*, Vol. XXI, No. 19, p. 119.

49 Ep. Ind., vol. xviii, No. 21A, pp. 164-165.

It is a strange thing when the Vijayanagara emperors were making free gifts of villages and lands, a former minister of the State was theorizing on the contrary. In a note to Sabara-Svami's annotation on Jaimini's Purva Mimansa regarding the ownership of the land, the great minister Sayana<sup>50</sup> says, "The king's sovereignty consists in punishing the guilty and protecting the good. Nor is the land his property for what is yielded by land as the fruit of labour on the part of all beings must be enjoyed by them as their own property." Again, the *Vyavahara Mayukha*<sup>51</sup> clears up this point by saying that "Even in the case of a conquest the ownership of village and field belongs to their respective owners and not to the conqueror whose right is restricted to the collection of taxes." Madhava-charya<sup>52</sup> another minister, comments in the same way on Jaimini's dictum. "Land is not the king's property. In land lies the common wealth of all creatures who enjoy it as the fruit of their own labours".

Vijayanagara grant.—(A. D. 1567).—In the Krishnapuram copperplate inscription<sup>53</sup> of Sadasivaraya the last of the Vijayanagara emperors, recorded two years after the fateful battle of Talikota, we find the grant of several villages to the god Turnvenkatanatha.

Here, we find that even in the last days of the Vijayanagara empire the emperors were making gifts of villages. This would not have been possible unless the monarch had been the owner of the land in the State.

### The Nature of Tenure

Now, the question turns up regarding the tenure of the land. In the inscriptions we find the following kinds of tenure with which the king and the feudatory princes used to grant lands

50, 51, 52 *Vide*—R. K. Mukherji, R.L.R.C. vol. II, pp. 151-152.

53 *Ep. Ind.*, vol. ix, No. 52, p. 329.

and villages to the donees. These are (1) *Nivi-dharma*. 'Nivi' is the capital or principal in the matter of sale and purchase (Amarakosa, III ; 3,212 and Hem Chandra, II, 534 (*muladravya*). Mr. R. G. Basak the epigraphist says, "These words mean the fixed Capital out of the interest of which an expense is to be met. Hence to make a gift of land or money according to "Nivi-dharma" is to give it on condition that the endowment is to be maintained as *perpetual*.<sup>54</sup>

This term has a variant form in (2) *Akshaya-nivi* (Fleet, C.I.I., vol. III., No. 12,126 and No. 62). Mr. Basak says, "It appears that in the case of "Akshaya-nivi" or "Nivi-dharma" the grantee could not destroy the principal land or money, but had to make use of the income accruing out of it."<sup>55</sup> Here we find that the term "Nivi-dharma" and "Akshaya-Nivi" had the same import. Hence virtually these are the same form of tenure. This was between the donor and the donee ; it gave the donee power to enjoy the land perpetually, but with no right to alienate the property. Hence it was a form of tenure which was called in Feudal Europe as a *fief*. In this tenure we see the proprietary right of the donor remains as before.

Another form of Tenure was (3) *Aprada*. It is interpreted as the term of *Perpetual endowment*.<sup>56</sup> Hence this form of tenure has got the same import as the above two terms. In this case too, the proprietary right of the donor remains as before. It is also a form of *fief*. Then comes the form of tenure known as the (4) *Nivi-dharma Kshaya* (Dhanaidaha inscription of Kumaragupta I ). It is interpreted as the "Nullification of the custom of permanent endowment."<sup>57</sup> The right of alienation of the property is implied here. In the Dhanaidaha plate inscription the buyer purchases land from the State on

54, 55 R. G. Basak in Ep Ind., vol. xv, pp 131-132.

56 *Ibid.*, op. cit , p 141.

57 *Ibid.*, Ep. Ind., vol. xvii, p. 346.

the abovementioned term. It was not a gift. Hence the purchaser acquires proprietary right, and the inscription records that the buyer in turn donated the same land to a Brahman. Naturally the question turns up as to the relation between the king of the State and the buyer, and in turn between the donor and the Brahman donee. Another form of tenure is (5) *Aprada-kshaya* (Damodarpur inscription No. 2). It means the nullification of the system of 'Aprada' which is interpreted by Mr. Basak (Damodarpur inscription No. 5) as 'perpetual enjoyment.' Hence "Aprada-kshaya" means the destruction or nullification of the tenure of perpetual enjoyment. Thus, it has got the same import as 'Nivi-dharma-kshaya.' Accordingly, this tenure implies the right of alienation or transference of the property.

Then we come to the form of tenure known as (6) *Bhumichchidra* (It is recorded as *Bhuchchidra* in the Kamauli grant of Vaidyadeva of Pala era). It is a form of tenure that is more frequently recorded than the others in the inscriptions that are discovered from all parts of India. According to the interpretation of the epigraphist Mr. Padmanath Bhattacharya<sup>58</sup> 'Chchidra' means land not fit for cultivation (*vide*—Yadavaprakasa's *Vaijayanti*, *Bhumikanda-vaisyadhaya*, verse 18). This means, "such land when granted would naturally be exempted from assessment of revenue [*vide*—K. M. Gupta's note on the words *Bhumichchidra* and *Bhumichchidra-nyaya* in *Ind. Ant.*, Vol. LI, (1922), pp. 77-79] so that no tax is levied on it. The nature of this form of tenure is clear, it means tax-free tenure.

Then we come to another form of tenure known as (7) *Sthala-vritti*. It is a form of tenure in which the payment of tax or rent was made in kind.

Finally, we come to the tenure known as (8) *Free-gift*. In the majority of the grants of the kings it is recorded that the

donors are waiving all rights to take taxes, tolls, forced labour, rights above and below the lands, rights on forests and on fruit-trees, etc. Thus the granted land becomes the exclusive property of the donee who enjoys the benefits accruing from the land. Hence it is a *benefice* that he enjoys. But, as seen in the inscriptions in some cases the donees do not enjoy all the benefits arising from the lands. There are *conditional gifts* as we have seen in the case of Rashtrakuta grant of Karkaraja Suvarnavarsha. Again in the case of the gift of the village Attiyur by the Chola king Rajaraja<sup>59</sup> we find it is recorded that he "gave to the Vishnu temple (the village of Attiyur as a divine gift (*devadana*) and as exclusive property: "The trees overground ... excluding the land (called) *pallichchandam* (temple land), *tukkai-patti*, *pidari-patti* (a measure of land sufficient for a sheep-fold), *bhatta-vritti* and *vaidya-vritti* (the land enjoyed by the Bhattas and enjoyed by the Vaidyas); the revenue in paddy, excluding (the revenue for) one *Vetti*; ... including all other revenues in paddy and revenue in kind."

Thus this gift of the village though a free-gift making it an exclusive property, yet is limited by some conditions which deny the right over some part of the village lands being included as exclusive property of the donee. Hence this *conditional-gift* points out the proprietary right of the king.

Again a complete example of free-gift is to be found in the grant of Raja Gambhera-Sambuvarayan. The Donor granted a village "with the right to sell, mortgage or exchange it."<sup>60</sup>

### Ownership of Land

In the random examples of inscriptions culled out from the Indian epigraphic records we have seen that lands are being given on different forms of tenure. Naturally, the question of

59 S. I. I., vol. I, pt. I, No. 64 p. 91-92.

60 S. I. I., vol. I, pt. II, No. 74. p. 105

the ultimate proprietary right over these lands arises here. In the inscriptions recording the grant of lands we find that the gifts are of following nature : (1) Absolute right is given to the donee in the gift. The land is to be free from all taxes ; (2) There is again a partial gift ; (3) Also a conditional gift ; (4) Further, grant lapses to the State ; (5) Annexation of the village to the State is also on record ; (6) Again, grant is renewed by the king ; (7) The king orders the villagers to confiscate and sell out the lands of the defaulters of revenue ; (8) Royal officers inspecting accounts of villages belonging to a temple ; (9) The town in the South was self-governing, but the lands belonging to the town are taxable ; (10) The king after receiving money giving land to a temple as an exclusive property ; (11) The State is selling lands at the prevalent rate of the locality ; (12) There are several landlords in one village ; (13) There is record of *barga-dar* system ; (14) The village-committee is not the joint-owner of the village lands ; (15) The village-committee in one place is selling land to a peasant who again in turn donated it to a temple ; (16) The land of the village is not a communal property. There has been no system of village-communism ; (17) A king making gift of half of a village to a Brahman ; (18) The king is ejecting a man from a village as he has been enjoying it on the strength of a forged edict and granting it to somebody else ; (19) In one case of grant, the previous owner was replaced and the tenants removed by the king who donated the land to a temple ; (20) In one case the queen is buying land from the village-assembly, but the king while making a free gift is not buying it from the same body ; (21) The king is remitting the tax or rent of the village to a lower rate ; (22) Some of the grants are *fiefs*, *benefices* and *immunities* given to the donees.

These are the conditions of the grants which we find registered in the epigraphic records. These records lead to one

conclusion that the ultimate sovereignty over the lands lay with the king. The State, i.e., the king was the owner of the soil. In making free or partial or conditional gifts, in conferring fiefs, benefices and immunities, the king is not alienating his sovereign right over the donated land, otherwise there would have been no case of lapse to or confiscation by the state. The king gave privileges to enjoy in perpetuity, hence he waived away some of his prerogatives over the revenue. The juristic opinion will say that the permanent endowment or absolute free-gift does not entail the loss of the sovereign right over the same. It cannot be supposed that the king in making free-gifts of the villages is giving future opportunities to the hostile elements to work against him from these *rendez-vous*. These donated villages or lands were not to be supposed as isolated colonies with sovereign right, viz., *Imperium in Imperio*. These gifts in reality were the fiefs and benefices or the permit for the enjoyment of immunities granted to the donees subject to the proprietorship of the king.

Thus it is clear from an analysis of the inscriptions that the king was the owner of the soil from the Mauryan age to the last days of Vijayanagara empire.

Naturally, the question will come regarding the opinion of the ancient Indian jurists on this matter. On the light of the epigraphic records we will say that the reports of the ancient European writers were correct that in India all lands belonged to the king.

As regards the Indian jurists, Kautilya's utterances were in consonance with actual reality than the post-Mauryan Jaimini and Manu whose opinions regarding the proprietorship of the land were pious wishes based on no empiric knowledge of reality and uttered from ideological plane only! The Indologist Hopkins says, "we may then assert that, according to the notion of the time, the king owned the land, but did not draw



rent for it. It was taxed for protection only. In the law books there was gradual decline of the view, that gave all to the king, and a gradual growth of the view that the field was more and more owned all together by the peasant-proprietor."<sup>61</sup> Yet the epigraphic records are grim realities which speak on the contrary.

Thus we find that with the beginning of historical period, the king was the proprietor of the state-lands. But when did this development began? Dr. Mukherji says, in the Vedic Literature land-grants of the king are to be read, yet the nature of the relation between the man who possessed the land and the State or the king is difficult to ascertain. "The king made these land-grants as the owner of all the land of his territory."<sup>62</sup> From the Asokan Edicts we hear of the remission of tax or rent known as *bhaga*, i.e., a fixed portion of the produce as to be taken as the king's revenue.

Whether the revenue taken from the land of the tenant is tax or rent is an old discussion of Political Economy and no certitude is arrived as yet on the subject. But we also hear *bali* (originally gift), *kara* (tax) of different sorts, *sulka* (duty), *pranaya* (benevolences), etc. taken from the lands of the tenants. Thus the king used to take various sorts of taxes and duties from the lands in order to enhance his revenue. This can be evinced from the records of the inscriptions some of which in this matter are very elaborate.

These privileges would naturally suppose his sovereign right over the lands of the tenants. It seems, that he got the prerogatives evolved in the course of time. It is evident that with the development of kingship in India, the king began to encroach on the lands of the subjects. And with the development of the absolute power of the king, the monarch as the

61 E. W. Hopkins: India, Old and New," p. 225.

62 R. K. Mukherji, *op. cit.*, vol. II. p. 132.

territorial sovereign, extended his absolute proprietary rights over all the land comprised within the State. Perhaps some fiction of law came in good need, and the absolute monarch who ruled by the divine right became the owner of the soil. In this way, we find that in the historic period the king was the proprietor of the land and not the cultivator who tills it !

### The right of the tenant

Now, the question comes as to the nature of the right of the tenant over the land he cultivated or built his homestead. The epigraphic records do not speak about the relation between the tenant and his immediate landlord, yet we may surmise it. In the land-grants of the kings, we read that they give to the donees power to collect taxes and revenues from the villages. This naturally would suppose that the grants delegate the donees some prerogatives over these matters. They could settle tenants or eject them.

In the Chola grant of Paramantaka I we find the land being leased out for cultivation on the contract basis. Thereby a landless agriculturist class is hinted at. In the Ratta grant recording the *sthala-vritta* we find a contractual tenure. In the grant of Rajaraja I we find lands of the defaulter of revenues being confiscated and sold out. In this case, the tenants were ejected from their lands, hence the right of occupancy must have been a conditional one. Again, the land which is not enjoyed by the occupants on the strength of free-gift is subject to the payment of revenue as is seen in the Bhaskarvarman's grant. In this matter, the right of occupancy as subject to proper payment of revenue is discernible. Again, in the grant of Parakesarivarman, we read that the queen who purchased lands from the assembly and donated them to a temple by making them tax free, ordered the previous owners replaced and the tenants removed.

Here, it means, that in purchasing the land the queen became the new owner, and as such, she made the necessary changes in the land for the fulfilment of her wish. In this case the rights of the former landlords and the tenants were set at naught. In this case, either the right of permanent occupancy or occupancy in a conditional form is not respected. The occupancy rights of the intermediate interests were subject to the will of the king.

All we can gather from these records is that the lessee had the *right of occupancy* with the stipulated contract. There could not have been a permanent right of occupancy. The right to occupy was subject to the strict payment of revenues. This right of occupancy could be sold or mortgaged in turn by the occupants.

As regards the land of the village or town assembly, it could be taxed, mortgaged or sold as the records testify. The grant of Parantaka I testify that the lands of the village were owned by more than one landlord. Here it is manifest that the village-assembly was not the sole proprietor of the village lands. Again, the grant records that one of the landlords sold out land to an outsider who got it cultivated according to the contract system. In this matter the village-assembly stood as the guarantor of the deed.

### III Village-Assembly

Now, we come to the nature of village organisation. Regarding the investigations in this matter there had been misconceptions in the beginning. With the introduction of L. H. Morgan's interpretation of Human Society in Indian Affairs by Maine, a misconception did arise in the matter of interpreting the Indian village organisational system. Morgan divided Human Society into 'Gentile' and 'Social' plans. "The first ... is founded upon persons and upon relations purely personal ... the *Gens* is the

unit of this organisation in the archaic period ... The Second is founded upon territory and upon property, and may be distinguished as a State (*civitas*)."<sup>63</sup> Again, the earliest traces of the Gentile organisation he finds in the continent of Asia.<sup>64</sup> Further he divides the condition of Human Society in the period of savagery into *Lower*, the *Middle* and the *upper* status of savagery.<sup>65</sup> The period of barbarism is also divided in the same way. As regards the development of property in several ethnical periods he says, "But the property of savages was inconsiderable ... A passion for its possession had scarcely been formed in their minds, because the thing itself scarcely existed. It was left to the then distinct period of civilisation to develop into full vitality that 'greed of gain' (*Studium lucri*). Lands, as yet hardly a subject of property, were owned by the tribes in common, while tenant houses were owned jointly by their occupants ... with the institution of the *gens* came in the first great rule of inheritance, which distributed the effects of a deceased person among his gentiles. Practically they were appropriated by the nearest of kins ... that the property should remain in the *gens* of the deceased, and be distributed among its members."<sup>66</sup> Then he says, "At the close of the later period of barbarism, great changes had occurred in the tenure of lands. It was gradually tending to two forms of ownership, namely : by the State and by individuals ... These several forms of ownership tend to show that the oldest tenure, by which land was held, was by the tribe in common ; that after its cultivation began, a portion of the tribe lands was divided among the *gentes*, each of which held their portion in common ; and that this was followed, in course of time, by allotments to individuals, which allotments finally ripened into individual ownership in severalty."<sup>67</sup>

63, 64 L. H. Morgan : "Ancient Society," pt. I, chap. I, pp. 63 ; 372-374.

65, 66, 67 *Ibid.*, *op. cit.*, pp. 9 ; 537-538 ; pp. 550-551.

The researches of Morgan were accepted by the radical sociologists of his time, and F. Engels made them the foundation of his theory regarding the origin of human family,<sup>68</sup> while Maine tried to investigate the nature of the Indian Land tenure in the light of Morgan. But now-a-days, some of the younger sociologists<sup>69</sup> challenge the conclusions of Morgan.

Here, we are concerned with Maine's interpretation which held its sway so long in India, and which tainted some of the interpretation of Hindu legal institutions by the Indian and other jurists.

Regarding Indian tenure, Maine says, "The description given by Maurer of the Teutonic Mark of the Township ... might here again pass for an account, so far as it goes, of an Indian village ... But the Indian village-community is a living institution. The causes which transformed the Mark in Maurer, though they may be traced in India, have operated very feebly."<sup>70</sup> Further he compared by saying, "It has the same double aspect of a group of families united by the assumption of common kinship, and of a company of persons exercising joint ownership of land."<sup>71</sup>

This view of tenure that the Indian village was of joint ownership of persons of agnatic relations, and hence a sort of Village-Communism existed in India, held ground till Baden-Powell appeared with the result of new researches on the Land System of India. He said that "The Indian village was not composed of a group of cultivators having joint or communistic interests but several sets of families who owned their holdings severally. There is administrative unity for many purposes, but

68 F. Engels : "The Origin of the Family, Private Property and the State". Preface to the First edition, 1884.

69 *Ibid.*—Lowie : "Primitive Society," J. Lewinski : "The Origin of Property."

70 H. S. Maine : "Village Communities in the East and West," p. 72.

71 *Ibid.*, *op. cit.*, p. 12.

there is not communal ownership or tenure." This kind of organization is called by Baden-Powell as the *Ryotwari* one (prevalent in Central and South India).<sup>72</sup> The second one is called by him as the Joint or *Landlord* villages ; in it "we find a dominant family or clan, oligarchs and in fact landlords as regards the inferior majority of inhabitants and more or less democratic among themselves"<sup>73</sup> (prevalent in the United Provinces and in the Punjab). But it must be made clear as Maine says that the family tenure or property which is the unit of the *Ryotwari* village system is not equivalent to individual ownership or any kind of ownership as understood in modern Western law. "What is certain is that there is no such thing as the village community of Hindu times ... We are free to hold as a pious opinion that the Indian village council still known as the *Five* (*panchayet*) ... the institution belongs only to the 'landlord' type of village."<sup>74</sup>

On the other hand the Indologist E. W. Hopkins says, "The inference which is to be drawn is, I think, neither that of Maine nor of Baden-Powell. This village is not a 'village community' but it is also not a Ryayot-village, it is a joint-village ... Now such village-corporations are expressly recognized in the later law books."<sup>75</sup>

With this knowledge about the nature of the Tenure System as evinced in the text books and in the researches of the scholars, let us wend our way to the testimonies of the epigraphic records.

### Epigraphic Records

The epigraphic records of the Maurya period as evinced in the Asokan Edicts do not give us any clue the constitution of

72 Baden-Powell : "A Manual of the Land Revenue System" ; "Land Tenure in British India."

73, 74 H. S. Maine : "Ancient Law," pp. 315-317,

75 E. W. Hopkins : "India, Old and New," p. 220.

the village. But in the post-Mauryan age, probably during the Sunga regime, we find amongst the Bharhut Stupa inscription testifying the gift of the town Karahakata (*—nigamasadanam*) mentioned.<sup>76</sup> Later, in the votive inscriptions from Sanchi Stupas (A. D. 300) we find the village organisations mentioned. The epigraphist Buehler<sup>77</sup> says, "Pious donations made by villages or towns do not occur frequently in the inscriptions and those recorded on the Sanchi stupas possess a particular interest, for they indicate that the influential men, the members of the village *panch*, belonged to the Buddhist sect." Thus we find that the village assembly (*panchayet*) was mentioned incidentally in these inscriptions. Here, we notice that the influential men were the members of the village assembly. In the second century B. C. we find the Hathigumpha inscription of Kharavela, king of Kalinga records the existence of city-corporations and the Realm-corporation.<sup>78</sup>

Coming down to the Gupta era, we find that the Baigram copperplate inscriptions (A. D. 447-48)<sup>79</sup> discovered in Bengal, records the selling of land to some persons. And in this connection the persons approached by the intending purchasers were the 'chief householders of the villages concerned.' This record, though it does not mention an assembly, yet refers to the chief householders of the villages who as interested in the village affairs were addressed by the would-be buyers of the land. Thus it hints at some village organisation in which the voice of the chief householders was supreme.

Again, in the Damodarpur plates inscriptions<sup>80</sup> of the same era, and also discovered in Bengal, we find that the plate

76 Barua and G. Sinha : "Bharhut Inscriptions," p. 33.

77 Ep. Ind., Vol. II, No. 7, p. 92.

78 Ep. Ind., Vol. XX, No. 7, pp. 77-88.

79 Ep. Ind., Vol. XXI, No. 13, p. 8.

80 Ep. Ind., vol. XV, No. 7.

no. 2 speaks of the *mahattaras* (leading men), the *ashta kuladhi-  
-aranas* (eight notable persons ?), the *gramikas* (village heads)  
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the affairs of the village. Also, in the Dhanaidaha inscriptions<sup>81</sup>  
of the time of Kumaragupta I (A. D. 432-33) found in Bengal,  
we find the same information regarding the sale of land.

Further, in the inscription of Dharasena II (A.D. 571-72) of  
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<sup>81</sup> Ep. Ind., vol. XVII, No. 23.

<sup>82</sup> C. I. I., vol. III, No. 38.

<sup>83</sup> Ep. Ind., vol. XVIII, No. 11.



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<sup>83</sup> Ep. Ind., vol. XVIII. No. 11.

Again, in a grant inscription (A. D. 756) of the Early Rulers of Nepal we read that "it records"<sup>84</sup> a grant by a private person to a *panchaka* or committee." Surely it means the traditional *panchayet* or the village-committee.

In a still further modern age, we find in the Surat grant of Karkaraja<sup>85</sup> (A.D. 821) the village landlords, headmen, *mahattaras* mentioned who are notified regarding the grant of a piece of land.

Coming down to the Pala<sup>86</sup> era of Bengal and Magadha, we find in the inscription of Mahipala I (Bangarh inscription) while granting a village to a Brahman he notified his subordinates and the villagers. Amongst them the village *mahattamas* (elders) and *kutumbis* (householders or prosperous cultivators) were mentioned. The same is recorded in the Manhaulh Inscription of Madanapaladeva.

Further, in the Rajput era, we find in one of the inscriptions of the Chahamanas,<sup>87</sup> it records that the king Kalhanadeva made a grant conjointly with the queen in the presence of the village *pancha* (*panchakula*).

Again, the Bhinmal stone inscription<sup>88</sup> of Udayasimhadava (*Vikrama Sambat* 1306) of the same era, records that the *pancha* consisting of the Mainta Gojasimha and others appointed by him was exercising local authority at Sumala (Bhinmal). Here it speaks of an assembly administering local government at the village or town of Sumala.

Thus in the inscriptions of the north we find the town and village-assemblies are referred to. But from the Gupta era downwards they are not clearly silhouetted in the foreground.

84 C. I. I., vol. III, No. Q. Bendell's inscription. No. 4.

85 Ep. Ind., vol. XXI, No. 22.

86 Gauda-Lekhamala.

87 Ep. Ind., vol. XI, No. 15, p. 49.

88 Ep. Ind., vol. XI, No. 20. p. 57.

The village-assemblies are not definitely mentioned, but the village-elders and representatives of the people were referred to as working in conjunction with the State-officials in local matters.

Now we investigate the records of South Indian inscriptions. In making an investigation in this domain we find that in the north and west walls of the Vishnu temple at Ukkal, the stone-inscription of the reign of Kesarivarman, land granted to the *village-assembly* (*sabha* or *Mahasabha*) was recorded. The assembly caused this transaction to be inscribed on the stonewall.<sup>89</sup>

Another inscription during the time of Kesarivarman, inscribed in the north wall of the temple at Tirumeyjnanam testifies about the *village-assembly* by recording thus: "We the great men of the village-assembly including the great Bhattas, sold and executed the sale deeds ... all Mahesvaras (assembled) shall themselves levy (a fine of) gold as they choose."<sup>90</sup>

Again, on the north wall at the temple at Tirupparkkadal the inscription registers the interesting record of a gift to the local *village assembly*. It says "at the command of the members of the great assembly which included (in it) the greatmen of the wards-committee, the greatmen of the garden-committee, the greatmen of the fields-committee, the greatmen of the north fields (*vada-kalani*)-committee, the Bhattas and other distinguished men (*visisthas*) of this year ... the greatmen of the tanks-committee ... received ... one hundred and twenty *kalanju* weight of gold of one nine and a half degrees of finess."<sup>91</sup>

Another inscription of the same era recorded in the temple at Tiruppanambudar registers a land-grant made tax-free by the *village-assembly*.<sup>92</sup>

89 South-Indian Inscriptions, vol. III, pt. IV, No. 2, p. 5.

90 *Ibid.*, vol. III, pt. III, No. 90, pp. 222-223.

91 *Ibid.*, vol. III, pt. III, No. 99, pp. 232-233.

92 *Ibid.*, *op. cit.*, No. 111, p. 246.

An inscription of the time of Kalachurya king Bijjala (A. D. 1161) found at Managoli speaks of a grant given by the king at the request of his feudatory which was made with the assent of the five hundred Mahajanas headed by the Mahaprabhu Madiraja (L. 38). It also speaks of the kinsmen of the *village headman*.<sup>93</sup>

This record also shows that there must have been village organisation of some sort, and it had a village headman who held a post similar to that of a *Patil* of modern times.

In the plate inscription of Uttama-chola kept at the Madras Museum we find the record mentions about the *President of the city corporation*.<sup>94</sup> Here we find the city assembly is mentioned.

Further in a grant of Nandivarman I of the Pallava dynasty, we find that it "records the mutual decision of the villages of Kanchivayil and the Udayachandramangalam formerly assembled in council, to unite together to form a single village unity. It is dated in the twenty-sixth year of the reign of the Chola king Kopperakesari Varman."<sup>95</sup>

In this record we find that the two village-assemblies dissolved themselves to form one village unit.

Again, in the copperplate inscriptions<sup>96</sup> of the Senas of Bengal, we find among others *Mahaganastha*, being mentioned to bear witness to the land-grants of the king. The post probably means the 'head of a village or town corporation.' Thus in the Sena period we find the trace of village or town assembly of some sort.

Thus we see that these epigraphic records bear testimony of town-committee (*nigam-sabha*) and village committee or

<sup>93</sup> Ep. Ind., vol. V, No. 3.

<sup>94</sup> S. I. I., vol. III, pt. III, No. 128 p. 267.

<sup>95</sup> Memoirs of the Archaeological Survey of India, No. 63, No. 5, p. 52.

<sup>96</sup> 'Inscriptions of Bengal', vol. III, *vide*—VI-XI, plates

assembly (*grama-sabha* or *mahasabha*) existing in India of ancient days. But coming in the medieval period of Hindu history in the North we meet them scantily referred to, and during the Mohammedan period one does not hear them at all. Simultaneously in the same age, in the south, we do not hear about them or get any hint about them in the grant inscriptions of the Vijayanagara empire.

Now the question turns about the composition of the village-assembly. In the various epigraphic records referred above, we meet such men who were representing the village interests, viz., *gramakutas* (village headmen), *mahattaras* (village elders), *gramikas* (village heads), *kutumbis* (householders), *kulavarana* (men representing the village public), *mahattamas* (elders), *panchakula* (five families or greatmen of the village-assembly), *mahesvaras* (Lords or leading men?), *mahaganastha* (head of a village or town-corporation), *ashta-kuladhikaranas* (heads of eight notable families), etc.

As regards the town-committees, we find such posts mentioned: *nagara-sresthi* (head banker of the town guild), *prathama-kulika* (the headman representing industries), *prathama sarthavaha* (the headman of the merchants), the president of the town-corporation.

Thus we see that in the composition of the village assembly leading householders, representatives of leading families, village heads and lords were to be found. That means, persons from rich and influential families used to be elected in the village committees.

Again, in the town-committees the *ayuktaka* (government official)<sup>n</sup> administered the affairs of the town (*adhisthana*) with the help of the guild-president of the town (*nagara sreshthi*), leading men amongst the merchants (*prathama-sarthavaha*) leading men of the artisans, i.e., craft-guilds (*prathamakulika*) and chief scribe (*prathama kayastha*). That is, vested interests



used to be represented in the village and town-committees. There was no democratic elections in the modern sense of the term (these are in consonance with what we find mentioned in the Smritis).

The strange thing is that these organisations disappeared in the period that synchronised with the establishment of the Mohammedan rule in the North and the establishment of the Vijayanagara empire in the South. Perhaps with the growth of the despotic power of the monarch, these organisations began to lose their functions and slowly decayed. And with the introduction of the absolute rule of the foreign Moslem invaders in the North, local self-governments ceased to function as they might have been regarded as parallel rival organisations.<sup>97</sup> It is noteworthy that Dr. M. Ashraf does not mention any such organisations in India during the period of pre-Mogul Moslem rule (1200-1550 A.D.).<sup>98</sup>

### Feudalism

In our enquiry regarding the tenure-system we have found out that there was subinfeudation of land, *i. e.*, under the King there was a hierarchy of lease-holders. We have found out that this lease reaches down to the *bargadar* who cultivates the land on contract basis. This phenomenon will naturally give rise to the question whether real Feudalism evolved in ancient India.

In reference to this question H. S. Maine said, "A process closely resembling feudalisation was undoubtedly once at work in India, there are Indian phenomena answering to the phenomena of nascent absolute ownership in England and Europe; but these

97 Regarding this matter, *vide* Introduction to Long's unpublished Records, vol. LVI.

98 Kunwar Muhammad Ashraf: "Life and Conditions of the People of Hindustan, Mainly based on Islamic Sources."

Indian phenomena instead of succeeding one another, are all found existing together at the present moment. Feudalisation of India, if so it may be called, was never in fact completed. The characteristic signs of its consummation were wanting."<sup>99</sup>

But other writers have admitted the fact that the institution of Feudalism took its rise in India, but no one is certain when it did really began.<sup>100</sup> Hence it behoves us to make an enquiry in the matter.

Grants of lands issued by the Kings to others are to be found mentioned in the Vedic Literature. These land-grants naturally created a class of landlords, and in the same literature we hear of wealthy persons called as *maghavans* and respectable families as *mahakulas*. Coming to the historic period, we do not find feudal lords mentioned in the Maurya age. But in the later age of the Sungas, we meet the name of *Dhanabhuti* a feudatory of the Sungas<sup>101</sup> who set up the stone structure at Bharhut. According to Dr. Buehler the probable date of the Bharhut Gateways may be 150 B. C. But the Hathigumpha inscription of Kharavela of Kalinga, who boasted of conquering the whole of India, does not speak of any feudatory prince. Neither do we meet the same institution inscribed in the caves at Nasik during the rule of the Satavahanas and others.

But coming down to the Bharasiva-Vakataka era of Central India (A. D. 300) we find in an inscription of Prithivishena of the Vakataka dynasty, the name of feudatory chief is given.<sup>102</sup> Advancing further, we come to the Gupta era when during the reign of Skandagupta (A. D. 465-466) his feudatory the *vishayapati* (lord of a *vishaya*) *sarvanaga* was governing

99 Sir H. S. Maine: "Village Communities in the East and West," pp. 158-159.

100 P. N. Banerjee: "Public Administration in Ancient India."

101 B. Barua: "Bharhut," Bk. I, p. 29; 'Bharhut Inscriptions' by Barua and Sinha.

<sup>102</sup> C. I. I., vol. III, No. 53, p. 234.

Antarvedi.<sup>103</sup> Further in the reign of Buddhagupta (A. D. 484-85), his feudatory the Maharaja Surasmichandra was governing the country lying between the river Kalindi or the Jamna and the Narmada.<sup>104</sup> Again, in an inscription of the same era (A. D. 510-11) found in Eran (Central Provinces) we read that "in the company of a powerful king named Bhanugupta a chieftain or noble named Goparaja came to the place where the pillar was set up, and fought a battle; this Goparaja was killed, and that his wife accompanied him by cremating herself on his funeral pyre."<sup>105</sup> In this epigraphic record we find the news of chivalry of a feudal baron.

Again, in the copperplate inscription<sup>106</sup> of Maharaja Hastin found at Khoh, recorded in the time of the Gupta rule as it says, "In the enjoyment of sovereignty by the Gupta kings (A. D. 476) ... The object is to record the grant of the Maharaja Hastin of the village ... to Gopasvamin and other Brahmans." Again, in the joint stone pillar inscription of the Maharajas Hastin and Sarvanatha (A.D. 508-9) found at Bhumera it records the erection of a boundary pillar between the territories of the two Maharajas in question."<sup>107</sup> In this record we find the names of two feudatories of the Gupta Emperors.

Further, another inscription<sup>108</sup> of the Gupta era belonging to Maharaja Jayanatha, records the grant of a village to Brahman. This charter was written by the *Bhogika* Gunjakirthi. Here, a class of landlords called Bhogika is mentioned.

Again, in the Deo-Baranak inscription of Jivitagupta II of the latter Gupta line, we find that while granting a village to the Sun-god, it records the names of *Bhojaka* Suryamitra and *Bhojaka* Rishimitra.<sup>109</sup> Here we find that under the king there were small landlords.

103, 104 *Ibid.*, No. 16, p. 70 . No. 19, p. 9.

105, 106, 107, 108, 109 C. I. I., vol. III. No. 20. p. 92 : No. 21. pp. 97-98 : No. 24, p. 111 : No. 26. p. 118 : No. 46. p. 218.

Coming further down to the Vardhana era we find in the Banskhera inscription of Harsha<sup>110</sup> (A.D. 628 or 629) that while recording a land-grant to a Brahman, it exhorts the *mahasamanta*, *vishayapati* and others to observe the grant. The *dutaka* (sponsor) of this grant was *mahapramatara mahasamanta* Sri Skandagupta, and *maha kshapataladhiranadhihrita* (keeper of records) was *mahasamanta maharaja* Bhanu.

In this record we find that feudal lords held official posts as well.

Again, in the Tippera copperplate grant of Raja Lokenatha<sup>111</sup> (A. D. 650) of the same period we find it is recorded that his grandfather Srinatha was a *samanta*. Lokenatha granted land to his own Brahman *mahasamanta* Pradoshasharman for the erection of a temple and the settlement of the Brahmans. This grant also discloses the news "that a king named Jivadhara attacked Lokenatha, but he obtaining a royal charter (*sripatta*) the former made over his own *vishaya* and army without engaging in further battle."

Here we find the *samanta* Lokenatha had a suzerain liege lord and in turn had also a feudatory under him. His rival seems to be also a feudatory of the same suzerain, otherwise hearing of the royal charter, he would not have surrendered his *vishaya* (estate) and army to Lokenatha. In the grant record the feudal hierarchy is clearly evinced, and the subinfeudation of the land beginning with the suzerain overlord and ending with the Brahman settlers is also expressed. The noteworthy thing is that the record says that Lokenatha's ancestors were Brahmans, his maternal grandfather was a *Parasara* and he was a *Karana* !

Coming down to still later age of the Palas of Bengal and

110 Ep. Ind., Vol. IV, No. 29, p. 211.

111 Ep. Ind., Vol. XV, No. 19, pp. 303-304.

Magadha we find in the Khalimpur inscription of Dharmapala (C. A. D. 900) it is recorded that *Mahasamantadhipati* Sri Narayan Varma<sup>112</sup> through the *Yuvaraja* Sri Tribhubanapala was asking for grants of four villages for the upkeep of a temple at Subhasthali.

Again, the Bhagalpur inscription of Narayanapala speaks of Chakrayudha of Kanauj as the *samanta*-king of Dharmapala.<sup>113</sup>

In the Bangarh inscription of Mahipala I we find *vishayapati* and *gramapati* mentioned.<sup>114</sup>

Further, in the Ramganj copperplate grant of Isvaraghosa, he is referred to as *mahamandalika*.<sup>115</sup>

In the Naihati inscription<sup>116</sup> of Vallalasena, *mahabhogika* is mentioned.

Coming down to the South, we find in the grant of Amma I the name of the Gangas are referred to.<sup>117</sup> According to Fleet<sup>118</sup> they were *mahamandalesvaras*—feudatories of the Rastrakutas.

Again, in an inscription<sup>119</sup> of the time of Raja Kesarivarman Aditya I of the Chola dynasty we find it is recorded that Vikki-Annon received a feudatory throne, with its paraphernalia, i. e., gift of fly-whisks, palanquin, drum, mansion, *panagam* (sumptuary allowance) bugle, an army of male elephants and the hereditary title.

In the stone-panels made during the Pallava rule the feuda chiefs and their duties at the time of the coronation of the king are depicted. "A number of the Feudatory chiefs of the Pallava kings are represented and they are often seen paying homage to their overlord."<sup>120</sup>

112. 113. 114 'Gauda-Lekhamala,' No. I ; No. 4, p. 63-69 ; No. 6, p. 99-100.

115. 116 'Inscriptions of Bengal,' vol. III, No. XVI, p. 150 ; No. VII, p. 74.

117 S. I. I. vol. I, pt. II, No. 36, p. 37.

118 Fleet : Ind., Antiquary, vol. XII, p. 218.

119 S. I. I., vol. III, pt III, No. 89, p. 222.

120 'Memoirs of the Arch. Survey of India,' No. 63, Appendix III, p. 6.

In some of the inscriptions of the Rashtrakuta kings of Malkhed the death of some feudal knights are recorded in a memorial tablet.<sup>121</sup> It says, "while ... the glorious Akalvarsha (Krishna I) was ruling over the earth ... In the destruction of the village of Maltavur, Dasamma and Ereya of the village of Surageyur, pierced (some of their foes) and died and ascended to Heaven."

This recording of the valourous act of two feudal knights in a local fight and the pious hope expressed for their ascension to Heaven after death on the battle-field, is similar to the expressions recorded in the memorial tablet of Goparaja and in the memorial temple of Siva erected on the ashes of the heroes of Nimdighi-ghat battle,<sup>122</sup> which took place between the Palas and Senas of Bengal. These pious wishes are in consonance with the admonition of the Mahabharata (Santiparva) and the Bhagavata Gita, (Ch. II) which enunciated the spirit of *Noblesse oblige* and laid down the duties of the fighters and their rewards hereafter.

Again, the Naregal inscription<sup>123</sup> of the time of Dhruva (A.D. 780 ?) commemorates the death, on the occasion of a cattle-raid, of a local hero named Dommara Kadava, *i.e.*, Kadava of the Dombas.

In this tablet, cattle-lifting is also recorded and the lifter has been acclaimed as a hero. This again is in consonance with the feudal spirit of the time.

Coming down to a later period we find the Arjunavadi inscription<sup>124</sup> (A. D. 1260) of the Yadava king Kannara mentions the names of two of his feudatories Chavunda Setti and Nagarasa.

121 Ep. Ind., vol. VI. No. 16, p. 162.

122 N. Bhattasali in *Monthly Barumati*, pt. I, No. 4, 1349 (A. D. 1912).

123 Ep. Ind., vol. vi, No. B, p. 163.

124 Ep. Ind., vol. xxi, No. 2, p. 16.

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119 S. I. I., vol. III, pt III, No. 89, p. 222.

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123 Ep. Ind., vol. vi, No. B. p. 163.

124 Ep. Ind., vol. xxi, No. 2, p. 16.



Here, it is to be seen that one of the feudatories bear the surname of a merchant (*setti*).

The Kudopali plates inscription<sup>125</sup> of the time of Mahabhavagupta II the king of Trikalinga, dated in the first half of the twelfth century speaks of his feudatory Punya who was lord of fifteen villages (*pallika*) and had the title of *mandalika* and *Ranaka*.

Here we see that a feudatory was a landlord of fifteen villages only. The inscription of Taila III of the Western Chalukya dynasty (C. A. D. 1153) speaks of his feudatory *Mahasamantadhipati* (Ep. Ind., vol. v, No. 3, p. 235).

The Arthuna inscription<sup>126</sup> of the time of Vijayaraja of the Paramara dynasty (Vikram Sambat 1166) records about the *mandalika* of the Paramara lineage who killed the general Kanha and Sindhuraja.

Thus in our enquiry we have found out that there was a hierarchy of feudal nobles or landlords. The different titles signified their position and power within the ranks of the hierarchy.

The different ranks in the series of socio-economic position may be thus graded : (i) *maharajadhiraja* (Independent king or Emperor), (ii) *mahasamantadhipati*<sup>127</sup>—*makasamanta*<sup>128</sup>—*mahamandalika*<sup>129</sup> (Lord of a division of the state, a vassal chief), (iii) *samanta*<sup>130</sup>—*mandalika*<sup>131</sup>—*mandalapati*<sup>132</sup>—*mandaleswar*<sup>133</sup>—*mandaladhipati*<sup>134</sup> (Lord of a *mandala*, i.e., a

125 Ep. Ind., vol. iv, No. 35, p. 257.

126 Ep. Ind., vol. XVIII, No. 9 B., p. 51.

127 Ep. Ind., vol. V, No. 3D, p. 215.

128 „ vol. xv, No. 19, pp. 303-304 ; C. I. I., vol. iii, No. 80, p. 293.

129 Inscriptions of Bengal, III, No. 16, p. 150.

130 S. I. I., vol. III, pt. iii, No. 89, (A person received a feudatory throne) p. 222.

131 Ep. Ind., vol. xxi, No. B. p. 51.

132 Inscriptions of Bengal, No. I.

133 Ep. Ind., vol. v, No. 25E, p. 239

134 Monograph of the Varendra Research Society, No. 1, p. 14.

section of the state), (iv) Bhuktipati (Lord of a Bhukti or a present division of a province),<sup>135</sup>—Bhogapati<sup>136</sup>—Bhogika<sup>137</sup>—Mahabhogapati<sup>138</sup>—Mahabhogika<sup>139</sup> (v) Vishayapati<sup>140</sup> (Lord of a district), Gramapati<sup>141</sup> (Lord of a village), (vi) Sashtadhi-krita<sup>142</sup> (Receiver of the one-sixth of the revenue), (vii) Bhojaka<sup>143</sup> (probably free-holder of a village), (viii) Kutumbi<sup>144</sup> Kshetrakara<sup>145</sup>—Karsaka<sup>146</sup> Kshetrapa<sup>147</sup> (Farmer or peasant-proprietor or peasant-householder), (ix) Peasant working on the basis of contract which ensures him a definite share of the produce<sup>148</sup> (Bargadar), (x) Landless labourer (Special terms for the last two grades are not recorded in the inscriptions unless the term 'Karsaka' stands for it).

This is the order of the hierarchy of tenure that can be gleaned from the epigraphic records. At the apex of this feudalization of land tenure stands the king who is the owner of all.

These terms do not signify official posts as some of the epigraphists try to interpret them. An example of some of their contentions will suffice here. The term 'Mandaladhipati' does not signify the official appointed at the head of a *Mandala* (government division of a state). In the Nalanda Inscription

135 Inscriptions of Bengal, iii. No. xvi.

136 Gauda Lekhamala, Khalimpur plate Inscription, No. 1.

137 Indian Antiquary, vol. v, p. 114; C. I. I., No. 21, p. 99

138 Inscriptions of Bengal, vol. iii, No. xvi

139 .. Nos. ii, vii-xi.

140 Gauda-Lekhamala. No. 1 Khalimpur plate Inscription of Dharmapaladeva; C. I. I., No. 16, p. 70; Inscriptions of Bengal, vol. iii, Nos. i, ii, vi-xi.

141 Ep. Ind., vol. xxi, No. 22, p. 146

142 Gauda Lekhamala, No. 1, Khalimpur plate Inscription.

143 Ep. Ind., vol i, No. 1, pp. 45.

144 C. I. I. vol. iii, No. 46, Gauda Lekhamala, No. 6, Bangarh Inscription.

145 Inscriptions of Bengal, vol. iii, No. 3.

146 Gauda Lekhamala, Kamauli Inscription, No. 11.

147 Ibid, No. 6, Bangarh Inscription.

148 S. I. I., vol. iii, pt. iii, No. 11, p. 245.

of Mahipaladeva we come across the name of Balavarman who was the *Byaghratati Mandaladhipati*, i.e., lord of that Mandala. An Adhipati is a lord. He was a vassal prince (*vide*—Inscriptions of Bengal, III, p. 151). The same is with the term *Mahamandalika*. Isvara Ghose the *Mahamandalika* of Dhekkur bore that title. He was not an official, on the contrary, while granting a village he was issuing order to his subordinate rajas, rajanyas, etc. (*vide—op. cit.*). He was a vassal chief probably under the Pala emperors. Further, the term *Samanta* is commonly used for all vassal kings or chiefs. Again, in the Inscription of the time of Maha Bhavagupta we find his feudatory Punga was a *Mandalika* and was the lord of fifteen villages only. Further, in some of the Inscriptions we find that big feudal chiefs holding also big official posts : *Mahapramatara Mahasamanta* Sri Skandagupta and *Mahakshapataladhiranadhikrita* (Keeper of records) *Mahasamanta Maharaja* Bhanu (Banskhera Ins. of Harsha), the feudatory and *Dandanayaka* (Ep. Ind., Vol. IV, No. 3) *Mahasamantadhipati* and *Dandanayaka* (Ep. Ind., Vol. IV, No. 25. A & B ; D.), *Bhogika* is a rank that stands below the *Samantas* and above the *Vishayapati*s (*vide*—C. I. I., No. 21 ; Ind. Ant. Vol. V. p. 114), a feudatory also a *vishayapati* (C. I. I., Vol. III, No. 16), there can be more than one *vishayapati* (*vide*—Ep. Ind., Vol. XXI. No. 22) as well as *gramapati*s (*vide*—*Ibid.* ; S. I. I., Vol. III, pt. III, No. 110).

Thus, it is evident that some of the feudal lords in India bore official titles and held official posts besides their duties as heads of big estates. Besides, the feudal barons had civil, criminal and military functions to perform within the jurisdiction of their estates. This situation lasted till the Moghuls established a centralized Government in India. In an inscription of A. D. 551-2 Maharaja Nandana who described himself as meditating over the feet of the king and of his *guru*, had also held the title of *Kumaramatyā* which was an official designation of

some sort of minister. He was a feudatory probably under the Guptas (*vide*—Ep. Ind., Vol. X, No. 12). Again, it is manifest that a feudatory can hold also a post in the Government. Thus, these illustrations make it clear that the abovementioned titles were not official posts of the royal bureaucracy. These are the titles of the feudal lords who held lands in the hierarchical subinfeudatory system. Thus, here we get the names of the feudal hierarchy. As for the official posts, the epigraphic records give their names which by themselves betray their nature.

The next question that draws our attention is the character of the sub-feudation. A Feudal system of Economics must exhibit its character by also showing the traits of some of the feudal lands by being fiefs, benefices, etc. In these matters we have enough testimony from the epigraphic records that many of the feudal appanages were of those characteristics.

We have already spoken about the king being the owner of all lands. In the case of the grants under the tenures of *nividharma* and *akshaya-nivi*, the grantee could not destroy the principal, land or money, but had to make use of the income accruing from it. (*vide*—Ep. Ind., Vol. XV, No. 7). In this case the land or village granted would be a *fief*. It is a case of perpetual endowment, it is of the same nature as the *Jaigir* of the Muslim period.

Again, in the case of the free-gifts which loom large in the epigraphic records, the gifts are legally nothing but *benefices*. Thus, the Valabhi grant of Dhurvasena III (Ep. Ind., vol. I, No. 13) gives "as a meritorious gift, ... with the income in grain and in gold, with (the right of fining those who commit) the ten offences, with (the right to) eventual forced labour, ... excluding grants previously made to temples and to Brahmans, according to the principle of *bhumichchidra* to last as long a time as the moon, ... no body shall cause obstruction to him if he enjoys (this village), cultivates it, causes it to be cultivated or assigns

it to others according to the usual rule relating to *agraharas* which are given to Brahmans." Here, is a case where the benefit accruing out of the land is to be enjoyed. Again, in the Chamak Inscription of Pravarasena II (C. I. I. Vol. III, No. 55) we find a case of *partial benefice*. It holds back some of the advantages accruing from the donated village. Again, in one of the inscriptions of the Reddis (Ep. Ind., Vol. XXI, No. 41A) we find the grant of a village is recorded. Besides this, "the donee was granted a fourth portion of the produce of the wet lands, betel-leaf gardens and sugarcane field, of each of the five villages ... and a sixteenth portion of the produce of the remaining three-fourth. A fifth part of the money income (of these villages) and the water of the big tank were to be given to him. Over and above them the donee was to receive one-tenth of the produce of the other villages (in the division ?) and the land at the rate 200 *kunta* ... in the big village and 100 *kunta* in small villages." Thus we see clearly that these gifts were benefices.

Then we come to the immunity character of certain gifts. As early as the reign of Gotamiputra Satavahana (Ep. Ind., vol. VIII, No. 5) we find that *immunity* being granted. Again, in a grant of Amma, I, (S. I. I., vol. I, pt. I, No. 36) we find that all the grants record that the granted villages were exempted of all taxes. Here we find immunity being granted in these exemptions. Again, a South-Indian temple inscription (S. I. I., vol. III, pt. III, No. 151) speaks of *immunities* (*parihara*) being granted to the donated lands as not being subject to the payment of *antaraya* (taxes).

The last feature of Feudal Economics to be mentioned here is the Manorial system. In the epigraphic record<sup>149</sup> dealing with the *Visvesvara Golaki*, we find the goldsmith, coppersmith, blacksmith, carpenter, stone-smith, sculptor, basketmaker,

149 "Malkapuram stone-pillar inscription of Rudradeva" in J. A. H. R. S., Vol. IV., pts. 1-4, 1930. pp. 148-154.

potter, barber, brahmans, servants, of the abovementioned colony enjoying assigned lands in lieu of their services to the *agahara* which was the property of the god Visvesvara. Further, the *chakran* lands existing in Bengal and *chakrana* lands of Behar, testify the existence of the manorial system of the bygone days. These lands were assigned by the landlords in perpetuity in lieu of the services of all kinds to be rendered to him. Many in these provinces are still enjoying these lands on the strength of the past gifts by the landlords to their ancestors. In present-day Rajputana where Feudalism is existing in its old form, we hear of the Feudal princes assigning lands in lieu of various services being done to them. Thus, on close examination, it would be discovered that *manorial system* existed in Feudal India.

Finally, as regards the spiritual side of the feudal civilisation—the spirits of chivalry and *Nobless oblige*, Indian Literature is full of them, and we have mentioned above the evidences of these spirits in the epigraphic records. Even the occurrences of “cattle-lifting raids” by the free lances were not absent in feudal India (*vide*—the description of the cattle-raid in Virata country in the Mahabharata). We have found above even the epigraphic testimony to it! Hence we see that all the characteristics of a feudal civilisation were present in the mediaeval period of Indian history.

Thus we see that India was completely feudalised, *i. e.*, her feudalisation was complete. Of course, all the characteristics might as far as testified by the epigraphic records not have been found in one particular district or province; but focussing India as one, we see that all the components of feudal economics and society are to be found in the perspective of Indian cultural unity. Contrary to the opinion of Maine, we would say, that India completed her feudalisation which supplanted the previous politico-economic conditions of production.

Here it should be mentioned that Indian Feudalism did not originate from the establishment of a military class over the peasantry. Some would fain to draw a comparison between it and with that of the Feudal system of Mediaeval Europe. But the fact is that in Europe, the conquering German tribes established themselves as military and ruling classes over the peoples of the countries conquered from the former Roman empire. Discussing about this matter, F. Engels says, "On his transformation from a plain military chief into the real sovereign of a country, the first thing which the King of the Franks did was to transform this property of the people into Crown lands, to steal it from the people and to give it outright or in fief, to his retainers ... All these received their portions of the people's land, at first generally in the form of gifts, later of benefices, usually conferred, to begin with, for the King's lifetime; thus at the expense of the people the foundation of a new nobility was laid."<sup>150</sup> What Engels said regarding the origin of Feudal system of Europe, was the statement of historical facts discovered by the researches of the scholars. But the Indian feudal system could not be said to have been a *replica* of the phenomena adduced by Engels from European history. True it is that in India, the King usurped the land, and in some cases distributed it amongst his favourites as fiefs or benefices or gifts. The analogy holds good so far, but it can not be said that the King's retainers formed a military class by themselves. History of India shows that the dynasts in India are always changing, each new king issuing fresh gifts, and these gifts are donated not to any particular clan or *varna* or caste. The epigraphic records show that most of the gifts are made to Brahmans and then to the temples. Surely they could not have built up a ruling and a military caste. Further, if it be said that the Feudal hierarchy was a military

<sup>150</sup> F. Engels, "Origin of the Family," p. 173.

class coming from outside which superimposed itself on the people of the conquered locality, the epigraphic records do not warrant us to accept that conclusion. The inscription of Raja Lokenatha of Tippera (Bengal) does not give us any warrant for such an assumption. He had been an overlord in Bengal, and he himself being a *samanta*, also had a *samanta* under him. The record does not say that these feudal hierarchs came from outside of Bengal. Again, if Lokenatha was a *karana* by caste, his feudatory was a Brahman. In still later days, the Pala dynasty of Bengal and Magadha which is now-a-days accepted as having originated from *Varendra* (North Bengal) and never spoke about their caste, had a feudatory in Valavarman the ruler of "Vyaghratati mandala," i. e., district Rajshahi of North Bengal. The feudatory was a man of different caste and came from the same locality. Both the overlord and feudatory did not hail from outside. The same is the case with the Gupta and Vardhana emperors who had non-royal ancestors. They and their feudatories did not hail from outside of North-India.

Rather it should be said that the evolution regarding the rise of the new dynasts and their retainers followed the same line as it did in the later days. New ruling dynasties and their supporters mostly came from the masses. And when a new ruler acquired power and wealth, then his favourites or retainers became landlords either from the gifts of the ruler or by accumulating lands by purchase. There is no reason to accept the hypothesis that military hordes passing from one part of the country to another, settled in the conquered territory as a military and ruling class. In this case, the Indian analogy with the European history of the Middle Ages falls through.

Thus, it is evident that the origin of the Indian feudal system lay in the course of the evolution of the Indian people. In the Vedic Literature we read of the land-grants made by the kings, also we hear of the rich peoples and respectable families.



In the post-Maurya period we come across the name of a feudatory. From the Gupta period onwards we meet a full fledged feudal system and we find the various designations of the hierarchical strata mentioned. Thus we find that the feudal system arose out of the womb of the Indian society. It arose as a political-economic system all over India till we find it vanished in the period that synchronised with the establishment of the Mogul rule over greater part of India. The strange thing is that the Vijayanagara epigraphic records do not mention the hierarchical designations !

As a sequel of the evolution of the Land-legislation, as it took place during the Muhammedan period in North India, it is fit to mention here that the pre-Mogul rulers kept the old order running. Their rule was established on feudal basis. The monarch was the head of the hierarchy.<sup>151</sup> The Muhammedan rulers began to appoint 'zamin-dars' (land-holders) on the basis of lease-holding. These were not actual land-lords but functioned as rent-collectors. It seems their function was like the "Fermier-generals" of pre-revolutionary France. It is probable that this system was copied from the custom that was prevalent in other Moslem countries like Persia and the Turkish empire.<sup>152</sup> Along with it, the fashion of granting *jaigirs* as permanent fiefs to officers was instituted. Later on, the Mogul rulers introduced a centralised system of government which though destroyed feudalism, yet could not completely eradicate its effects from their territories and in Rajputana where the Mogul emperors remained satisfied with being acknowledged as "over-lords" only, the old institution is still in force. Regarding the change, Dr Ashraf says, "However as we have remarked, the introduction of Islam was not a fundamental revolution in the basic conditions of Indian life. It effected a

151 Dr. I. Prasad : "History of the Qarannah Turks," p. 259.

152 *Vide*—Chardin : *Voyages*, iii, p. 339 : Volney : *Voyage en Syrie*, ii, p. 369.

change in classes and in their relative positions, but did not uproot the institutions.”<sup>153</sup>

Still later, with the ushering of the British rule, further change was instituted in the land tenure system of British-India. The British rule instituted the system of *Permanent Settlement* in Eastern India. According to this system the amount of rent to be paid by the land-holders is permanently fixed. It looks like copying the similar institution from contemporary Europe especially from the Anglo-Irish relation of land tenure. Elsewhere as Baden-Powell says, the British-Indian Government kept the *status quo* of proprietorship of land intact. As mentioned beforehand, according to him the British-Indian tenure system can be divided into *ryotari* and *zamindari* (land-lord) systems. Thus, the system of tenure introduced by the British rule still maintains the ground.

153 Kunwar Dr. Muhammad Ashraf “Life and Conditions of the People of Hindustan (1200-1550 A. D.—Mainly based on I-lamic sources)” in Jour. of A. S. of Bengal—Letters, vol. I, 1935, No. 2. p. 195.

## CHAPTER XVI

### Conclusion

We have arrived at the end of our researches regarding the origin and development of the Hindu social polity. In the course of our investigation we have found out that the theory which says that Race-differences have given rise to the hierarchy of the Hindu social system is untenable. At the same time we find that no comparative study of the Indian social system with those of the classical countries has been made. On the contrary, some see in it a peculiar institution evolving out of the Indian *milieu*. Hence it behoves us to make a comparative study of the system on the light of modern knowledge of anthropology and Sociology.

Indian tradition does not record the migration of a racial element coming from outside. To the ancient Indian writers India has always been a self-centered country. The Aryans as depicted in the Vedas had been a self-sufficient people. To the ancient Indian writers the word "Arya" had a cultural meaning attached to it. It never had any other connotation in the Sanskrit Literature.

The nineteenth century philologists have discovered that the language spoken by the people of the Vedas had linguistic relations with the languages of the peoples living westward of India. Hence, they named this linguistic group as the "Indo-European family of languages." The philologist F. Max Müller preferred to call it "Aryan" group of languages. Thus from the cultural sense attached to it by the Indian writers, the word got a new connotation in the hands of modern occidental philologists. Deducing from it many occidental philologists tried to find out an original "Aryan" language. This naturally

presupposes an original Aryan race speaking the same language. This investigation has led to the dispute known as "Aryan controversy" in which each national chauvinist group identifying race with language swears in the name of Science, that the original "Aryan" race has been identical with the people to which he belongs! As regards the Indian people calling themselves "Aryas", they are united on the point that if the Vedic people had not been blondes of North-European variety, they had been a "white race" hailing from outside.

But one moot point has been ignored in this controversy—the question of Vedic ethnology. They overlooked the point that the colour of the Vedic gods were not described as "white," rather they were 'golden' or 'brown-hued.' Only the heavenly companions of Indra have been depicted as 'white-like.' But was it not a metaphorical description of the heavenly inmates who are supposed to be pure in mind and body while Indra himself is said to have had yellow complexion! In the Rigveda itself the pure (*suchi*) things are called as of white colour (8.53.10). Again the ethnographic descriptions of clothings do not warrant us to take the Vedic people as the immigrants from a colder region. Trowsers and high-boots were unknown to them. Light cotton clothing and some sort of footgear were the only accoutrements that were known to them.

All these arguments lead us to say that the Vedic people were not composed of a special biotype but an ethnic group of linguistic-cultural unity. As such they appeared in the Vedic Age, and in the Rig Vedic period they were in chalcolithic stage of civilisation. In that period it seems they had passed out of the totemistic stage if they had it at all. They were worshipping some tribal gods some of whom were the apotheosized tribal kings and others perhaps allegorical representations of natural forces. The latter Indian writers had doubts about the Vedic stories of the origin of these gods.

Durgacharya opined that, they were big kings of antiquity. The same opinion has been upheld in the Mahabharata and the scholiast Mahidhara regarded them to be men (annotation to Vajasiṇiya Samhita, 23/29). But Yaska gave out that with the exception of the Aswinikumar twins who were kings, the others were allegorical and atmospherical representations.

But the medical text *Susruta-samhita* gives out the hint that once the gods were subject to diseases and Dhanwantari cured them of these things. Dhanwantari himself thus says, "I am the curer of old age, disease and death of the immortals. Formerly I was in heaven to serve the gods" (1. 17). This signifies that the heavenly gods were once mortals. Again the gods are divided according to *varnas*. All these expressions lead us to believe that the Vedic gods were only tribal kings or heroes of dim antiquity who were apotheosized and put into different social categories according to mundane pattern.

As in all classical societies, heavenly organisations were patterned according to the terrestrial arrangement, the Vedic heavenly bodies were the *replica* of the actual society of the time. Hence, we find *varnas* of the gods mentioned in the Brahmanas and not *castes*. This is a significant admission that the original Hindu society did not know the caste system. In the primeval days of the Vedas, the *varnas* were the representations of social grades, and as such they were classes and not stereotyped hereditary castes. The latter-day allegory of the *purusha-sukta* had its counterpart in the Avestic legend of Persia and the legend of the Teutonic Saga. In fact, four-fold division of society was common to many countries of the ancient world extending from China to Germany. It was not a special evolution of the Indian *milieu*. Further, the different social divisions of the ancient Zoroastrian society of Persia had dresses of different colours to distinguish themselves. Similar difference of dress we find in the Middle Age society of Europe.

## CONCLUSION

Likewise, the original Indian *varnas* might have originated from different colour of the dresses worn by various social classes, which in later age metaphorically became to be identified as the distinctive marks of the same. Further, in the Vedic Literature we read that each Brahmanic clan, *viz.*, the Viswamitras and the Vasisthas used to wear clothes of different *nuances* of white colour. Again, the *sikhas* ( tuft of hair on the occiput ) of the Brahmins varied in number according to the clan. Similarly, the sacred thread worn by the Brahmins still vary according to the Veda they follow. Thus, these are artificial divisions that differentiated the clans or divisions of other sort. Later on, the Indian scholars gave metaphorical interpretation of the Indian *varnas*.

From all these we glean this much, that the Indian *varna*—distinction had no such anthropological significance as given by Blumenbach and others while dividing mankind into different races according to their skin-colour.

But whatever might be the origin of the *varna* distinction in the Indo-Aryan society, in practical life we find that the four-fold society as described in the books of the priesthood to be a myth. Indeed, there had been divisions of the ancient Indian society, but no stereotyped castes. Members of the social classes could change their positions, people in ancient time could choose any calling without losing their stand in life.

The Brahmanical books have given a false account of the ancient society. The *kshatriya* never acknowledged the supremacy of the priestly class. Rather, we read in the Puranas that many Brahman *rishis* had been born in the Kshatriya families, many of the Brahmanical clans were originally Kshatriyas. Again, Kshatriyas have been degraded to Vaishya and Sudra orders through social punishment. The Vedic legends about the Hymn-composers belie the priestly claims. It can be safely said that directly or indirectly the descendants of the four

orders have taken part in the composition of the Rigveda. Here, we should not forget the stories about the origin of the *rishis* like Kanva, Kakshivant, Ailush and probably Kutsa which say that they had Sudra or slave mothers.

Further, the Vayu Purana (ch. 92. 4-5) asserts that the four sons of Saunaka *rishi* became divided into four *varnas* according to their occupations (*karma*). Saunaka was a descendant of the Vedic Rishi Grtsamadha who has been mentioned in the Puranas as of Kshatriya descent. Hence, Saunaka has been called a *kshatrapeta brahman* (Vayu., 92.6). This illustration clearly shows that the *varnas* originally were occupational groupings only. Again, the Vishnu Purana (4. 8) says, the four-fold *varna* system was introduced by the King Vargabhumī a descendant of the Lunar line of the Kshatriyas. Further Harivamsa (32) reiterates this saying that the four sons of Vargabhumī were divided into four *varnas*. Again, we hear that Drishta the son of Manu became a Brahman (Bhagabata, 9.22), Nibhag the grandson of Kshatriya Vaivashyat Manu became a Vaishya (Vishnu, 4.1), and Prisdhra was degraded to *sudrahood* (Agni, 237.37; Harivamsa, 11,659). Again, Vayu Purana says, the *varna*-divisions have been made in the *Treta* Age (57.60),

Such like sayings can be quoted in large numbers which throw light on the growth and development of the Indian Social-divisions. These informations tell us that originally there had been no social division, then division according to occupation took its rise. Further, these news give us clue to the monogenistic origin of the Hindu Society which clearly demonstrated that Social divisions were not racial or hereditary, people could pass over from one division to another. On the bases of these Pauranic sayings we may say that the assertion of Purusha-sukta was a latter-day fabrication of the priesthood.

Here it should be brought to notice, that in perusing the development of the Indian social division we do not discover the finding of Mr. H. G. Wells that in the classical countries of the orient, the priestly party (temple) took its rise first, the court (palace) party arose as a counterpoise to it.<sup>1</sup> Of course he says, "The barbaric Aryan peoples, ... may never have passed through a phase of temple rule on their way to civilization ... they found that drama already half played."<sup>2</sup> In the Indian history we find that in the Vedic period the king was simultaneously a ruler, a judge and a priest. But no investigator has informed us as yet that the Vedic people took over this institution from the Shemites or the aboriginal people of India. Rather, we find that from the people—the *vis* different divisions have taken their rise. Again, we find that many of the priestly clans originated from the Kshatriya order. The priestly party known as the priesthood grew in course of latter-day evolution. This division of social classes followed the wake of class-struggle that existed in the Indian society of the time.

The fact that originally the *duījas* arose out of the *Vis*-the people, and the people could change their classes, has led to the fact that the four orders had common *gotras*. It is a priestly fiction of modern time that none but the Brahmans have got *gotras*. Originally *gotra* meant the name of the founder of the clan, but when the members of a clan dispersed themselves into different occupations, surely they did not change their original clan designations. They must have kept up the name of the clan father alive, otherwise we would not have seen the members of the four orders having common *gotras*. Of course, in modern time, many of the castes reckoned as Sudras have got their *gotras* from their priests. Still to-day many of the *Asat-Sudras* are bereft of *gotras*. This may be due partly to social cataclysm and partly to the elevation of new ethnic groups into



the social class of *Asat-sudra*. The example of the copperplate inscription of Raja Lokenatha of Tripura (Bengal) in the seventh century A. D. clearly indicates the way how the *gotra* of a Brahman comes to be possessed by a man who calls himself a Sudra (*karana*).

Similarly, is the case of the ruling family of Udayapur, which calls itself to be a descendant of the Solar dynasty of the Legend, yet the epigraphic records testify that its ancestor was a Nagar-brahman.\* The *gotra* of this family is to be found amongst the Nagar-brahmans. Thus a man may change his social class or caste, but does not change his *gotra* or ancestral designation. Of course it is reported that many dissenting sects, viz., the Lingayets change their *gotras* and *pravaras* as a protest to *varnasram*-polity. But this happens when a person is outside the orthodox fold.

From the post-Vedic period we find that the Indians are divided into different occupations, though they could change their callings. Later on we find that each occupation organised into a *Sreni* the counterpart of the guild system of other countries. These guilds as attested by the epigraphic records were called according to the avocations followed. But in the modern period we find that the guilds are non-existent, but innumerable castes are to be found instead. Thus, instead of an oil-millers, guild, a weavers' guild, a perfumers' guild, a gardeners' guild, etc. we find that castes of the same names do exist in the society. This gives rise to the surmise that the guilds by becoming hereditary and endogamous amongst themselves have evolved into stereotyped castes of to-day. The old guild organisations do not exist any longer, only amongst some so-called lower castes they still survive as caste-panchayets. But the regulations and internal make up of the guilds still persist in some of the castes as *casti mores* and regulations.

Thus we find that instead of four *varnas* there are innumerable castes independent of each other. Of course these align themselves under the banners of the fictitious *varnas*. Yet, within each group there are hierarchical ranks. All the Brahmanas are not of the same rank. The status of a Brahman varies according to the caste status of the layman (*jajamana*) in whose family he officiates as a priest. In this wise, the status of a Brahman who is a priest of a *dwija*, is higher than a Brahman who is a priest of a Sudra. Again, in turn the priest of an *asat-sudra* is a degraded one with whom the priests of the higher orders will not interdine and intermarry. Finally, there are hierarchic differences amongst these degraded Brahmanas even, their status stands *pari passu* the status of the degraded castes whom they officiate.

Again, these degraded Brahmanas are unservicable to the castes above their laymen (*jajamanas*). Thus, the priestly Brahman of an untouchable caste is of no use to the laymen of the touchable Sudras (Sat-Sudras) whose priests in turn are not regarded equals with the Brahmanas who do not take any gift from a non-Brahman (*asudra-pratigrahi*). Thus class-character is clearly discernible in the hierarchy of the priestly order. Similarly, we find there are gradations within the other *varnas*. In this wise, we find the Brahman *varna* has got its degraded members within themselves. The simple fact of being born in a Brahman family does not entitle a Brahman to act as a priest to the other castes and to get respect from them as such. Even the *sat-sudra* will draw the same line of demarcation between himself and a degraded Brahman of an *asat-sudra* as he draws it between himself and the *asat-sudra*.

From all these phenomena, we draw the conclusion, that like elsewhere, the status of a Hindu priest called *Brahman* is incumbent on the status of the layman. In this matter we may infer that the status of the layman is of more importance

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in the society than his priest. All the doors of the society are not open to the priest simply because he is born a Brahman !

Thus, it is clear that the stories of the four *varnas* and the claims of the priestly class are myths.

Again, we see that since the historical period, members of a *varna* choose avocations of their lives not enjoined by their *varna* regulations. Apart from the Buddhist books mentioning these facts, there are epigraphic attestations of the same. In the Bhilsa Topes inscriptions of the Maurya period we find the following record : "Gift of Buddhapalita, the *sreshti* of the Pandu race ?"<sup>4</sup> Here, a man claiming descent from the traditional Kshatriya family of the epics yet calling himself a '*sreshti*' which implied that he was a merchant ! Thus a Kshatriya was following the avocation of a Vaishya. Again, in the Mandasor stone inscription of the Gupta era we find that a number of silk-weavers migrating from Lata (Guzerat) settled in Dasapura (Malwa) and there, they divided themselves into different occupations. Some of them became well acquainted with the science of archery, some excelled in their own business of silk-weaving, and by others, the science of astrology was mastered. And those who stuck to their old occupation constituted themselves into a guild of silk-cloth weavers.<sup>5</sup> Here we see that an original Vaishya group of weavers following occupations of Kshatriyas and Brahmans. Again, as late as twelfth century A. D. we find an epigraphic record that occupation was not identified with *varna*, because in the Dhod inscription of Mewar we find a "*karanika* Brahman" is mentioned. It means that a Brahman following the calling of a clerk.<sup>6</sup>

All these make it clear that *varna* was not a caste, and caste originally had an economic basis. It was the occupation of a

4 A. Cunningham : "The Bhilsa Topes," p. 281.

5 C. I. L., vol. III, No. 18, pp. 80-83.

6 *Vide*—Rajputana Museum Report, 1923, p. 2.

group of men that determined their position in the society. But we have seen that there are differences in the caste hierarchy. The *varna* was a fiction in historical period, but the occupational grouping became the reality. This, since the eleventh century A. D. as attested by the epigraphic records, encrusted into modern castes by interdicting *Connubium* and *Commensality* amongst one another.

As regards the present-day Hindu *jati* it may be said that it took its rise when an occupational grouping transformed itself into a caste. At the same time it acquired certain juristic character. As in the course of time this social group divides itself horizontally into peoples of different grades of economic status, hence of various social ranks, nevertheless all enjoy the same rights and privileges accruing from the common fellowship of a caste. On account of this division of a caste into several social grades, Bucharin has truly said, "the shell of the caste may include on the whole a class Kernel." Again, it is not enough to say that a caste is only formed on economic foundation. There are other factors beside. The question of status comes in to determine the position of a caste in the social hierarchy.

We have previously seen that some of the social groups known in the Vedic period as of good status, have been degraded in the modern society. Again, some castes known in the mediaeval period as of good standing have been degraded in the modern period as "untouchables." Thus, we see that the question of untouchability plays a big role in determining the status of a group following a particular occupation.

The question of untouchability is as old as the days of the Upanishadas. From that time on, the more the society advanced towards modern period, the more we see not only the encrustation of the social groups, also the question of untouchability

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7 N. Bucharin: "Historical Materialism," p. 280



taking a frightful form. The problem of untouchability is based on the question of food and contact taboos spoken beforehand. The notions of purifications and taboos are embedded in the *mores* of the Indo-Aryan people. They had notions of taboos and belief in an anonymous *mana* spirit like those of other peoples of the ancient world. These, we find as parts of the tribal *mores* mentioned in the literature. Even the word "Taboo" and its action were not unknown in the Atharva-veda.<sup>8</sup> That the institution of untouchability is not peculiarly a Brahmanical one can be evinced from the fact that the aboriginal *Hos* of Choota Nagpur have got untouchables amongst them. The same is the case with the Gonds."

The taboos and the notions of purity in general have their class-character. As higher sort of work gets higher rank, each class or stand in order to safeguard its higher rank differentiates itself from the others by its own taboos. The taboos are the privileges attached to persons.<sup>10</sup> When these people group themselves into one class or stand, naturally the taboos become their definite privileges. Hence the taboos and the notions of purity and exclusiveness emanating from them are to be regarded as the walls by which a privileged group of men safeguards its class-interests.

Under these circumstances the lower orders of the society have inferior taboos. Naturally, the members of the higher classes, or orders or stands in life have got higher *mana* in them than the people below them. These are the reasons, why the class or order or the latter-day caste standing higher in the social hierarchy have got higher privileges than those below them.

8 Whitney in his English translation of Atharva-veda could not explain the meaning of the word "Taboo" or "Tabu." But since then, the word itself got familiarized in Sociology, which was so long supposed to be of Polynesian origin. Sylvain Levi, quite recently found out its true import so familiar now-a-days.

9 G. S. Ghurye: "The Aborigines—'so-called'—And their Future," pp. 64-65.

10 Max Schmidt: "Voelkerkunde," pp. 344-345.

Any contact with a man of higher caste is beneficial to the man of lower order as the former has got higher *mana*. Thus we find that the sight of a Brahman falling on the food of a man belonging to the caste lower to him is beneficial to him, the contrary is a sin to him! If a Brahman touches a Sudra, it purifies him, the contrary will bring him to perdition.

In India we find the more the society developed to Feudal form, the more the notions of purifications and taboos began to take definite class-character. For those reasons, we find the discussions about the status of a caste, the nature of work as occupation, birth and heredity dealt in the religions books. In this way, the questions about food and contact taboos became integral parts of the Hindu society. Again, the class-character of different social groups gives rise to class-conflicts. The conflict for influence and power in various ways called *class-struggle*, is accountable for determining the position of a socio-economic group latterly known as *caste* in India, and not the fictitious tradition of Purusha-sukta or the *fiat* of the priesthood. The state-power defines the status of a social group. For this reason, we find that in India in feudal period the king had been called as "The regulator of all the castes and stages of religious life."<sup>11</sup> It was the king as the embodiment of the state-power since the period despotism as the form of statecraft took its rise, when he began to act in the sense of *L'etat ce moi*" that we find king determining the status of a caste or a stand of the society. Even as late as in the eleventh century A. D. we find as recorded in the *Ballala-charita* and attested by tradition that the King Ballala Sena of Bengal, made the *suvarna-vaniks* a community belonging to the *vaishya varna*, go down as untouchables (*anacharania*), and he raised the potters (*kumbhakaras*), the garlanders (*malakaras*), the Blacksmiths (*karmakaras*), and the *kaibarttas* as touchable *sat-sudra* castes. That

11 C. I. I., Vol. III, No. 52.

means, the Brahmans and the superior orders can drink water from their hands. This phenomenon as reported is still to be seen in the tributary Hindu States of the Panjab Hills and in the independent Hindu kingdom of Nepal.

Feudal economic system of India has made the caste-taboos as the barriers for the protection of the vested interests of each socio-economic group. The feudal capitalist system showed its tendency for specialisation of work. This specialisation developed the spirit of caste-religion, *i.e.*, the spirit of *Noblesse oblige* of a caste. Each caste has got certain duties to perform. As a result each caste acts according to its caste-ethic and each person is proud of the social group, *i. e.*, the caste in which he is born. The group sentiment of safety is at the back of it and finally the caste becomes associated with the family-pride of a person. Of course the feudal Hindu philosophy of *karma* acts on him. It is a dogma that arose in the *milieu* of despotism and strengthened in feudal society to suit the existing social order. Thus, a man is destined to be born in a particular caste which is a divinely ordained institution, and he is proud of it. His *karma* leads him to it.

The great German Sociologist Max Weber like those who believe in *Religious interpretation of History*, sees the influence of religion in the building up of the Indian caste system. He sees in it the influence of the dogma of *Transmigration of Souls*. Also, he says, that this system makes a "Social Revolution" or "Reformation" impossible because a man wants to better his condition in his next birth. For that reason, he must stick to his caste duties. He sees the same spirit in Martin Luther's dictum "Remain in your profession."<sup>12</sup>

Here we must say that the Great German thinker was a little bit misinformed regarding India. If he sees religious influence in the formation of the Indian caste system, one

12 Max Weber: "Grundriss Der Social oekonomik," pt. III, Ch. IV. pp. 247-249.

would naturally ask what sort of religion was that gave birth to this system? Was it "Revealed Religion" of the theologians or the "Tribal religion" of the anthropologists? In our study here we have discovered that tribal *mores* and notions still underlie the Hindu social system. The force of "custom" determines every sphere of a Hindu's life. And this emanates from the primitive tribal regulations. Further, the feudal period of Indian history completely moulded the Hindu society in the form that still persists. It was the feudal economics and the State with its handmaid Brahmanism which took a new form in that age, that determined the evolution of present-day Hindu society.

Weber quotes Luther's proclamation. At the back of this saying one must not forget the role that Luther played during the "peasant war" in Germany at the time of the Protestant Reformation. Luther was against the upsurge of the peasants against the propertied class.<sup>13</sup> He sided with the propertied class as against the *have not* class of Germany of that period.

Similarly, in India with the growth of despotic monarchy and feudal form of society, religion was made the handmaid of the State. It came handy to the ruling class. In that period we see that Vedicism has become antiquated, Buddhism was on the decline, Brahmanism since the *Brahmanical counter-revolution* was making headway and taking a new form. In that period we find that the un-Vedic dogmas of *karma*, transmigration of souls, etc. enunciated by the ancient Kshatriya kings of the Upanishadic period and taken up by the eminent priests and later on propagated by the Kshatriya leaders of Buddhist and Jaina persuasions, have acted as great levers to make the people reconciled to their mundane life. True it is that these doctrines have got the tendency of benumbing the revolutionary urge of a man, yet we find the dissenting sects always revolting against sacerdotalism and *varnasram* polity.

13 Vide Hayes: "History of Modern Europe."

For these reasons, when Weber says that Religion influenced to form the caste-system, we would say that the state-power combined with priest-craft used Religion to exploit the people and to keep up the existing socio-economic order. But that was the religion of the Scriptures. In the development of the social hierarchy of the caste system, we see the working of the spirit of Totemism with its taboos, and belief in *Mana-spirit*, also coupled with it the effect of class-conflict which determines the status of the caste. Of course the latter-day Brahmanism of the priesthood accepted the tribal taboos and regulations of various ethnic units as the custom of the people or the country.

The next phase of development is that though castes are formed, they did not develop social homogeneity of its various septs. A caste may be split up into different septs and again into that of different countries or localities. This presupposes that the Hindus after the stage of tribal organisation, evolved the stage of social organisation according to locality. The tribes are itinerant bodies, hence people in that stage are designated according to their tribes. But when a tribe or a group of people settles down in a locality, they evolve out of the tribal system and identify themselves as the people of the soil on which they live and organise themselves anew. In that stage they are designated according to their habitat. The third stage points out the amalgamation of all the social groups into one homogeneous politico-social organisation designated as nation.

In India we see that many of the groups are still in tribal stage of social organisation. They go according to the names of the tribes, and marry amongst themselves; while others have passed out of this stage, and are identified with the soil on which they live. They have organised themselves within the limit of the habitat, and follow endogamy. The stage of nationhood is not yet reached in India, except in the province of Bengal

and Maharashtra where the people have evolved into the stage of provincial nationality.

In these matters we see that the Brahmans all over India have evolved out of the original clan stage of the Vedas. From the post-Vedic Age we find them differentiated into *udichya* (northern), *prachya* (eastern groups), etc. Later on, they were divided again vaguely into *panchagauda* (Northern) and *panchadravida* (Southern). In modern historical period we find them organised as Kanyakubja, Malavya, Konkanastha, Rahri, Varendra, Tamil, Telugu, etc. This is the second stage in which they have evolved themselves. They have been identified with their habitats and organised themselves within the boundaries of the same places. They are no longer distinguished as the members of particular clans, viz., the Vasisthas, the Kanvas etc, but as Malavya, Kanyakubja and Rahri Brahmans with endogamous social organisations of their own. But in most of the cases with the Brahmans, the third stage is lacking. In the case of the Neo-Kshatriyas of Northern India the Rajputs, they are still in tribal stage. With the Kayasthas some are still designated by their tribal names as the Ambastha, the Saksena, while some are differentiated as the members of a particular locality, viz., the Mathur. Similarly, many of the trading castes are designated according to their tribes. While in Bengal, where the tribal system has become non-existent in historical period, the untouchable Bauris have developed septs according to their habitats.

In the case of Bengal as has been mentioned beforehand, the differentiation of the people according to localities such as the *Rahri*, the *Varendra* has been broken down since the Pala period and all are differentiated from the rest of India as the Bengalee Brahman, Kayastha, Vanik, etc. In Bengal, since the Pala rule the different localities formerly known as provinces were united into one political unit. The Hindus living here

inspite of their old differentiations according to localities which are now-a-days called as subdivisions of a caste, are governed by a common socio-religious polity. Hence they feel themselves as one people with common tradition, manner and *mores*. Similarly is the case with the people of Maharashtra. Since the achievement of their independence under Shivaji, the people there have felt themselves as one unit inspite of the differences amongst the Brahmans.<sup>14</sup> Of course, in all these cases, the third stage of homogeneous nationhood in the modern sense is still lacking. Within the province, caste differences and old divisions into localities are working as deterrents to arrive at the third stage.

But present-day India is in the melting pot. The modern educational forces and tendencies in civilisation are breaking up this old order. Inter-provincial communications and common political bonds and economics are bringing the heterogeneous people together and making them feel as "Indians."

Max Weber has said that Rational Economics has not been able to make itself felt where Taboo-regulations have taken strong roots. The influence of the specific religious ordination of the caste on the spirit of economic management is opposed to Rationalism in Economics. It seems it is a big supposition. Behind Weber's Religious Interpretation of History lies the Economic forces. It was the economic urges of the society that led to the formation of occupational groupings. In our investigation we have found out that originally Taboo-regulations and belief in *mana* began to play their role in determining their status in the social body-politic. The present-day Rationalism in Economics on the contrary, is helping to eradicate the caste or group barriers. Common economic problems are bringing the people of different castes and religions into one

14 This sense of unity was observed by the Duke of Wellington when he operated against the Mahrattas. He said that they are the only *nation* in India.

organisation. And it is a question of time when the barriers will be broken.

Then next question that turns up, whether these subdivisions of each caste are anthropologically identified with each other. We find that important castes are spread out all over India. Many of them speak of their common origin. It may be that in some cases there might have been inter-provincial migrations thus transplanting the caste-members from one province to another. And in the new home this section formed a social group of its own. Further, inter-communications being difficult in old days, in the course of time the force of Taboo-regulations with the concomitant *mana*-spirit acting on it led it to form an endogamous group of its own, thus cutting itself off from the parent stock. This led it to be recognised as a separate group of the caste in question. This phenomenon is still happening in present-day India. The mediæval notions of purity of blood and family-custom (*lokachara*) are helping to form the new groups. This is the way by which so many divisions or septs of a big caste has arisen.

Another process in the formation of All-India castes with their divisions and sub-divisions lie in the fact of local evolution of the different branches of such castes. A study of physical anthropology does not warrant us to believe that all these All-India castes inspite of their stories of traditional common ancestors always have had common racial origin. It was the mediæval guilds that developed all over India had common names for the same occupations. When these guilds encrusted themselves into endogamous castes than we find common guild organisations transforming themselves into common All-India castes. The separate evolution combined with the constant political decentralisation of India have helped to differentiate themselves from one another. Each follows its local custom (*deshachara*) and holds itself aloof from the other inspite of



claiming a common original father, who in many cases is the transformed patron deity of the guild.

In this wise, we can account for the formation of the caste sub-divisions.

But these caste sub-divisions could never fuse themselves into one group. Local custom held them apart, political disintegration made them separate entities. Thus due to the lack of development of nationhood, the castes with their septs could not be integrated into one body.

In spite of all these differences and the lack of evolution of nationhood, India has developed a cultural unity. The Hindus have a common culture, traditions and *mores*. Brahmanism instead of giving the Hindus a political nationality, has given them a cultural one. Culturally they are one nation. The inscriptions discovered all over India attest to the fact that the Hindus had a common system of statecraft, bureaucracy, religion with a sacred language, common Sanskrit literature, laws, traditions, land-legislations and social hierarchy. Vedicism with its offsprings have made the different biotypes existing in India into one ethnic unit, the product of which is an *Indian*. Thus as acknowledged by Risley and others that behind the multifarious differences lies the fundamental unity of India. An Indian as such, is differentiated from the rest of the world by his ethnic peculiarities.

In the matter of this ethnic unity, an impartial observer will say that the Moslems of India do not form a separate group. They are as much Indians as the others are, though they keep certain distinct traits to distinguish themselves from the non-Moslems. It is the personal experience of the present-writer that the Moslem people of Turkey and of other nationalities do not make differences between the Moslem-Indians and persons of other sects except in the case of religion. To them the Moslem-Indians are as much "Hindis" or "Hindlis" as

as the Hindus are. To the foreigners, the psychological make up of all the Indians appear to be the same, and they notice that all the Indians possess common characteristics.

As regards the social side of the Moslem society of India a recent observer, Mr. M. Titus while speaking of "Caste in Muslim Society" says, "In the social sphere the influence of Hinduism on Islam has nowhere left a more definite mark than in the creation of caste-distinctions, which indicate social status as clearly as they do in Hindu society."<sup>15</sup>

Regarding these caste-distinctions, a former Census of India Reporter, Mr. E. A. Gait has said, "The Muhammedans themselves recognise two main social divisions : *asahraf* or noble ..., and *ajlaf* or common people, ... comprises all local converts of low origin, including most of the sheikhs, and the various functional groups. ... These functional groups have *panchayets* who manage their affairs and who in many parts, exercise almost as rigorous a control as the managing body of a Hindu caste. ... The same state of things prevails in Upper India amongst those who have become Muhammedans without giving up their original caste-distinctions. Such persons not only remain in their original social group, but also preserve most of the restrictions on social intercourse, inter-marriage, and the like, which they observed when still Hindus. ... The pride of blood amongst those of foreign descent is however considerable."<sup>16</sup> Again, the Muhammedans of India as acknowledged by Gait also follow strict endogamy, besides "Inter-marriage between *ashraf* and *ajlaf* is retrobated."<sup>17</sup> Further, the problem of untouchable castes are also present in the Moslem society, *viz.*, the case of the Lalbegis of the U. P., and in Bengal the cases of the Bedias, the Abdalis, the Moslem palanquin-bearers of the Tippera district, etc.

15 M. Titus : "Indian Islam," p. 169.

16, 17 E. A. Gait in *Hastings' Encyclopaedia*, vol. vi, p. 239.

Thus in the matter of Moslem society Sir M. Iqbal the Moslem philosopher of India summed up the situation in these words: "Is the organic unity of Islam intact in this land? Religious adventurers set up different sects and fraternities ever quarrelling with one another; and there are castes and subcastes like the Hindus! Surely we have out-Hindued the Hindu himself, we are suffering from a double caste-system—the religious caste-system, sectarianism, and the social caste system, which we have either learned or inherited from the Hindus."<sup>18</sup>

As regards law, though the Shariyat Law of Islam is in force amongst the Moslem-Indians except the Ishmaelite sect (the latest legal enactment makes it optional to them), yet the spirit of custom does prevail in the interpretation of Islamic law. Thus Mr. S. Ray says, "Nevertheless custom and customary law has been followed again and again in certain instances, thus showing that conditions in India are such that strict interpretation of the Quranic law has neither been deemed wise nor absolutely necessary ... In fact, in Bombay, the Panjab, Oudh and the Central Provinces, 'custom takes precedence of Muhammedan law.'<sup>19</sup> He also says, "The courts give distinct recognition to the 'legal validity of the institution of caste, in some form or other, among Muhammedans' ... the courts have held that Muslims of a particular caste must be bound by the rules of that caste."<sup>20</sup>

Thus it can be said that Moslem-Indian society is just a piece lopped off from the original Indian society with an adaptation to suit the new religious needs. In fact, as noticed by the impartial observers the spirit of the old Indian society is still working in its midst.

18 M. Iqbal: "Hindustan Review" Quoted in "Census of India Report," 1911. xiv, Panjab. pt. I p. 165.

19 S. Ray: "Customs and Customary Law in British-India," pp. 379-380.

20 *Ibid.*, *op. cit.*, p. 401,

As regards the Christian-Indian society which is still in the making, this much can be said that on the whole they are not outside the Indian ethnic-cultural unity. Regarding the Christian-Indians H. H. Risley, an authority on Indian ethnology, has said, "Even Christianity has not altogether escaped the subtle contagion of caste."<sup>1</sup> The Christians of Malabar claim themselves to be the oldest representatives of Christian community. These people are called "Nazarenes," and in names and manners they are Indians.

The Roman Catholics are the majority group. Amongst them, those who live in Portuguese India have been compelled to adopt the names and the dress of the Portuguese. But they keep their former caste restrictions and social differences intact.

It is said that when St. Xavier came to India as a missionary he got a special Bull issued by the Pope that the Hindus while changing their religion may not change their social habits. This enabled the Roman Catholics of South India to keep up their old social distinctions. It is reported that recently the Goanese have given up restrictions regarding *commensality* though *connubium* is still interdicted.

On the other hand, it is reported that in Northern India amongst the Protestant Christians, a great social change has been wrought in recent time. The old caste-distinctions have been effaced amongst them, and in their places, the class-distinctions on economic bases have taken their rise. Further, in outward appearance and habit of life they are undistinguishable from the Hindus.

As regards law the Christians in British-India are governed by the Statute Laws of the Government.

Thus, behind the manifold diversities that are apparent only, lies the ethnic-cultural unity of India. The differences are the products of ages wrought by the constant political revolutions

21 H. H. Risley : "People of India," p. 79.

that have been going on since time immemorial. Yet it must be said, that in the past, Indo-Aryan culture moulded the various Indian biotypes into one socio-cultural group.

The formation of nationality as formulated in the modern world will further mould them together. In ancient world nationhood had an ethnic basis. In mediaeval world it was based on religion. This spirit worked in Western Asia and Eastern Europe till the present time. As a result of this spirit an Indian by becoming Muhammedan used to change his ethnic connections with the parent-society. That has given rise to the "Communal Problem" in India. But in present-day Muhammedan countries of Western Asia, nationality or nation-hood is being based on political basis: This Nationality in the modern sense may be thus defined: A Common historic-cultural evolution coupled with community of fate and interests do shape various ethnic groups of people into one political nation of the modern world."<sup>2</sup>

This evolution enables the multifarious peoples to acquire a common mind, common institutions and common outlook of life. India at present is enjoying a common historic-cultural evolution, and when the keen feeling of community of fate and interests will arise amongst the Indians, then a common mind regarding the country is sure to evolve. Further, an enlightened Government by the enactments of rational laws will have to do away with the old laws and habits which still smack of tribal and mediaeval days.

Finally, instead of the *Smritis*, and the religious laws of different sects and ancient tribal *mores* known as the "local customs" the future Indian social-polity has got to be based on Rational empirical knowledge and Eugenics. When these changes take place in society, the evolution of future Indian nationhood becomes assured.

22 *Vide*—discussions by H. Kunow in "Marxches' Gesellschaftslehre," and B. N. Datta "On the Formation of Indian Nationality" in Calcutta Review, Sept., 1925.





